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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Interior

Effective upon publication in the FEDERAL REGISTER, subparagraph (2) of paragraph (d) of § 213.3312 is revoked and subparagraphs (6) and (7) are added to paragraph (d) as set out below.

§ 213.3312 Department of the Interior.

(d) Bureau of Mines. * * *

(6) One Assistant Director (Minerals Research).

(7) One Assistant Director (Mineral Resource Development).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,

Executive Assistant to the Commissioners.

[F.R. Doc. 64-571; Filed, Jan. 21, 1964; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

SUBCHAPTER B—PROHIBITION OF IMPORTED COMMODITIES

[Amtd. 2]

PART 980—VEGETABLES; IMPORT REGULATIONS

Onions

Findings. (a) Notice of rule making regarding a proposed amendment to § 980.102 *Onion import regulation* (28 F.R. 9503, 12059), was published in the January 3, 1964, issue of the FEDERAL REGISTER (29 F.R. 50). This section is effective under section 8e-1 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice contained a determination that during the current onion marketing season, on and after February 3, 1964, imports of white onions, and on and after March 2, 1964, imports of all other varieties, are in most direct competition with onions produced in the South Texas production area which are marketed under grade, size, and quality regulations issued pursuant to Marketing Order No. 959, as amended (7 CFR Part 959).

Interested persons were afforded an opportunity to file data, views, or argu-

ments in regard to the proposed amendment not later than 10 days after publication. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, it is hereby found that the proposal as published in the notice should be issued and that such restrictions on the importation of onions, as hereinafter provided, comply with the grade, size, and quality requirements applicable to onions produced in the United States, and effective under Marketing Order No. 959, as amended (7 CFR Part 959), regulating the handling of onions grown in designated counties of South Texas. This section is subject to further amendment as domestic regulations are changed.

(b) It is hereby further found that good cause exists for not postponing the effective date of this amendment beyond the time specified (5 U.S.C. 1003) in that (1) the requirements established by this section are mandatory under section 8e-1 of the Act; (2) all known onion importers were notified of the proposed amendment; and (3) notice hereof was published in the January 3, 1964, issue of the FEDERAL REGISTER (29 F.R. 50), and such notice is determined to be reasonable.

The amendment is as follows:

In § 980.102 *Onion import regulation* (28 F.R. 9503, 12059), delete the introductory paragraph and paragraph (a), and substitute in lieu thereof a new introductory paragraph and a new paragraph (a) as set forth below. Paragraph (b) is republished for information.

§ 980.102 Onion import regulation.

Except as otherwise provided, during the period beginning February 3, 1964, for white onions, and March 2, 1964, for all other varieties, and continuing through June 30, 1964, no person may import dry onions, except red onions, unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements.*—(1) *Grade.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Application of tolerances in U.S. Grade Standards shall apply to in-grade lots.

(2) *Size.* White onions—1 inch minimum diameter; all other (except red) varieties—1¼ inches minimum diameter.

(b) *Condition.* Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of ten or more days may be entered if they meet an average tolerance for decay of not more

than 5 percent, provided they also meet the requirements of this section.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.)

Dated: January 17, 1964.

PAUL A. NICHOLSON,

Deputy Director

Fruit and Vegetable Division.

[F.R. Doc. 64-574; Filed, Jan. 21, 1964; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 74—SCABIES IN SHEEP

Interstate Movement

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby amended to read, respectively, as follows:

§ 74.2 Designation of free and infected areas.

(a) Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are not known to be infected with scabies, and such States, Territories, District, and parts thereof, are hereby designated as free areas:

(1) Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virgin Islands of the United States, Virginia, Washington, and Wyoming.

(2) The following counties in Illinois: Bond, Clay, Clinton, Lawrence, Madison, Marion, and Richland; and all counties in the State of Illinois lying south thereof;

(3) All counties in Kansas except Cloud, Ellsworth, Harper, Jewell, and Sedgewick;

(4) All counties in Minnesota except Jackson and Lincoln;

(5) The following counties in Missouri: Cole, Cooper, Franklin, Gasconade, Jackson, Lafayette, Moniteau,

Osage, St. Louis, and Saline; and all counties in the State of Missouri lying south thereof;

(6) The following counties in Nebraska: Arthur, Banner, Blaine, Brown, Chase, Cherry, Cheyenne, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Scotts Bluff, Sheridan, and Thomas;

(7) All counties in New Mexico except those portions of Lincoln County and Socorro County lying within the area bounded by a line beginning at a point on U.S. Highway No. 54 where said highway crosses the Lincoln-Torrance County Line at the town of Corona, New Mexico; and thence, running in a westerly direction along the Lincoln-Torrance County Line and the Socorro-Torrance County Line to New Mexico State Highway No. 10; thence, running in a southerly and southeasterly direction along New Mexico Highway No. 10 to its intersection with U.S. Highway No. 54; thence, running in a southerly direction along U.S. Highway No. 54 to its intersection with U.S. Highway No. 380 at the town of Carrizozo, New Mexico; thence, running in a southeasterly direction along U.S. Highway No. 380 to its intersection with New Mexico State Highway No. 48 at the town of Capitan, New Mexico; thence, running in an easterly direction along New Mexico State Highway No. 48 to its intersection with the Lincoln-Chaves County line; thence, running northward along the Lincoln-Chaves County line and the Lincoln-DeBaca County line to the northeast corner of Lincoln County; thence, running westerly along the Lincoln-Guadalupe County line to its intersection with the Lincoln-Torrance County line; thence, running southerly along the Lincoln-Torrance County line to the southeast corner of Torrance County; thence, running westerly along the Lincoln-Torrance County line to the point of beginning at the town of Corona, New Mexico;

(8) All counties in Pennsylvania except Cumberland;

(9) All counties in Wisconsin except Saint Croix.

(b) Notice is hereby given also that sheep scabies exists in all States and Territories and parts of States not designated as free areas in paragraph (a) of this section, and they are hereby designated as infected areas.

§ 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep, and such States, and parts thereof, are hereby designated as eradication areas:

(1) Kentucky and Tennessee;

(2) All counties in Illinois except Bond, Clay, Clinton, Lawrence, Madison, Marion, and Richland; and all counties in the State of Illinois lying south thereof;

(3) The following counties in Kansas: Cloud, Ellsworth, Harper, Jewell, and Sedgwick;

(4) The following counties in Minnesota: Jackson and Lincoln;

(5) All counties in Missouri except Cole, Cooper, Franklin, Gasconade, Jackson, Lafayette, Moniteau, Osage, St. Louis, and Saline; and all counties in the State of Missouri lying south thereof;

(6) All counties in Nebraska except Arthur, Banner, Blaine, Brown, Chase, Cherry, Cheyenne, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Scotts Bluff, Sheridan, and Thomas;

(7) The designated parts of the following counties in New Mexico: Those portions of Lincoln County and Socorro County lying within the area bounded by a line beginning at a point on U.S. Highway No. 54 where said highway crosses the Lincoln-Torrance County line at the town of Corona, New Mexico; and thence, running in a westerly direction along the Lincoln-Torrance County line and the Socorro-Torrance County line to New Mexico State Highway No. 10; thence, running in a southerly and southeasterly direction along New Mexico State Highway No. 10 to its intersection with U.S. Highway No. 54; thence, running in a southerly direction along U.S. Highway No. 54 to its intersection with U.S. Highway No. 380 at the town of Carrizozo, New Mexico; thence, running in a southeasterly direction along U.S. Highway No. 380 to its intersection with New Mexico State Highway No. 48 at the town of Capitan, New Mexico; thence running in an easterly direction along New Mexico State Highway No. 48 to its intersection with the Lincoln-Chaves County line; thence, running northward along the Lincoln-Chaves County line and the Lincoln-DeBaca County line to the northeast corner of Lincoln County; thence, running westerly along the Lincoln-Guadalupe County line to its intersection with the Lincoln-Torrance County line; thence, running southerly along the Lincoln-Torrance County line to the southeast corner of Torrance County; thence, running westerly along the Lincoln-Torrance County line to the point of beginning at the town of Corona, New Mexico;

(8) The following county in Pennsylvania: Cumberland;

(9) The following counties in West Virginia: Berkeley, Fayette, Grant, Greenbrier, Hampshire, Hardy, Jefferson, Mercer, Mineral, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Raleigh, Randolph, Summers, Tucker, Upshur, and Webster;

(10) The following county in Wisconsin: Saint Croix.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

The amendments add the County of Lincoln in the State of Minnesota to the list of infected and eradication areas and delete such county from the list of free areas as sheep scabies is known to exist therein. After the effective date of these amendments, the restrictions pertaining

to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will apply to such county.

The amendments impose certain restrictions necessary to prevent the spread of scabies, a communicable disease of sheep, and must be made effective immediately in order to accomplish their purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 17th day of January 1964.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 64-576; Filed, Jan. 21, 1964; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter XV—Office of the Under Secretary of Commerce for Transportation; Department of Commerce

PART 1502—AIRCRAFT ALLOCATION

Title 14—Aeronautics and Space, is amended in the following particulars:

1. The heading of Chapter XV, now designated as the Defense Air Transportation Administration, Department of Commerce, is redesignated to read as set forth above. The Defense Air Transportation Administration was abolished on September 13, 1962 (27 F.R. 9958).

2. Part 1502—Aircraft Allocation, is hereby revised to read as follows:

Sec.

- 1502.1 Issuance of aircraft allocations.
1502.2 Reporting requirements.

AUTHORITY: The provisions of this Part 1502 issued under sec. 3(c)(2) of Executive Order 10999.

§ 1502.1 Issuance of aircraft allocations.

From time to time the Director, Office of Emergency Transportation, Office of the Under Secretary of Commerce for Transportation issues planning orders allocating aircraft to the Department of Defense, identified by FAA registration number, for the Civil Reserve Air Fleet Program and/or as a reserve fleet for use in certain contingencies in the Civil Reserve Air Fleet Program of the Department of Defense. The current listing of aircraft allocations will appear in the notice section of the FEDERAL REGISTER.

§ 1502.2 Reporting requirements.

In the event any aircraft identified in the allocations is in effect:

(a) Is destroyed or suffers major damage, the owner and/or operator, shall

give immediate notice thereof to the Director, Office of Emergency Transportation, or

(b) Is sold, leased or otherwise transferred, the transferor and/or owner shall give immediate notice thereof to the Director, Office of Emergency Transportation together with full information concerning the identity of the transferee, the date and place of transfer, and the terms and conditions of the transfer.

Dated: January 8, 1964.

C. D. MARTIN, Jr.,
Under Secretary of Commerce
for Transportation.

[F.R. Doc. 64-564; Filed, Jan. 21, 1964;
8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER F—PERSONNEL

PART 578—DECORATIONS, MEDALS, RIBBONS AND SIMILAR DEVICES

Miscellaneous Amendments

1. Section 578.3(d) is revised to read as follows:

§ 578.3 General provisions governing the awards of decorations.

(d) *By whom awarded; peacetime criteria.* (1) Awards for peacetime service are made by the President, the Secretary of Defense, and the Secretary of the Army.

(2) No peacetime award of an Army decoration will be made to a member of another United States Armed Forces Service without concurrence from the military department concerned.

(3) The Legion of Merit, the Soldier's Medal, the Army Commendation Medal, the Decoration for Distinguished Civilian Service and the Outstanding Civilian Service Award are the only United States decorations which may be awarded by the Department of the Army to foreign nationals under peacetime criteria. The Bronze Star Medal may be awarded by the Department of the Army to foreign nationals under peacetime criteria during a period and in specified areas where United States troops are engaged in military operations involving conflict with an opposing foreign force or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(4) Authority to award the Joint Service Commendation Medal has been delegated by the Secretary of Defense to:

(i) The Deputy Secretary of Defense for awards to military personnel assigned to the Office of the Secretary of Defense.

(ii) The Chairman, Joint Chiefs of Staff for awards to military personnel on his staff, and in those agencies and activities reporting through his staff.

(iii) Director, Defense Supply Agency for awards to military personnel on his staff.

(iv) Director, National Security Agency for award to military personnel on his staff.

(v) Commanders in Chief of Unified and Specified Commands, for awards to military personnel assigned to their respective headquarters and to those joint agencies and activities reporting to or through their commands.

In wartime, this authority may be further delegated at the direction of the Secretary of Defense.

(5) The Army Commendation Medal may be awarded for heroism, meritorious achievement or meritorious service by any commander in the grade or position of a Major General or higher and by the heads of Headquarters Department of the Army staff agencies to members of the Army of the United States below the grade of Brigadier General. The Army Commendation Medal may be awarded by the appropriate commander as an interim award in accordance with paragraph (g) of this section in those cases involving heroism and for which a recommendation for the award of the Distinguished Flying Cross or the Soldier's Medal has been submitted. Awards of the Army Commendation Medal may also be made under the provisions of AR 672-301 (Incentive Awards).

(6) The National Security Medal is awarded as noted in paragraph (c) (7) of this section.

2. Sections 578.4(a), 578.5(a), and 578.7(a) are revised to read as follows:

§ 578.4 Medal of Honor.

(a) *Criteria.* The Medal of Honor, established by Joint Resolution of Congress, 12 July 1862 (amended by act of 9 July 1918 and act of 25 July 1963) is awarded in the name of Congress to a person who, while a member of the Army, distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in an action against an enemy of the United States; while engaged in military operations involving conflict with an opposing foreign force; or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party (figure 1). The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must have involved risk of life. Incontestable proof of the performance of the service will be exacted and each recommendation for the award of this decoration will be considered on the standard of extraordinary merit. Eligibility is limited to members of the Army of the United States in active Federal military service.

§ 578.5 Distinguished Service Cross.

(a) *Criteria.* The Distinguished Service Cross, established by act of Congress 9 July 1918 (amended by act of 25 July 1963), is awarded to a person who, while serving in any capacity with the Army,

distinguishes himself by extraordinary heroism not justifying the award of a Medal of Honor while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party (figure 1). The act or acts of heroism must have been so notable and have involved risk of life so extraordinary as to set the individual apart from his comrades.

§ 578.7 Silver Star.

(a) *Criteria.* The Silver Star, established by act of Congress 9 July 1918 (amended by act of 25 July 1963), is awarded to a person who, while serving in any capacity with the Army, is cited for gallantry in action that does not warrant a Medal of Honor or Distinguished Service Cross while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party (figure 1). The required gallantry, while of lesser degree than that required for the award of the Medal of Honor or Distinguished Service Cross, must nevertheless have been performed with marked distinction. It is also awarded upon letter application to The Adjutant General to those individuals who, while serving in any capacity with the Army, received a citation for gallantry in action in World War I published in orders issued by the headquarters of a general officer.

3. New § 578.12a is added and the heading and paragraph (a) of § 578.17 are revised, as follows:

§ 578.12a Joint Service Commendation Medal.

Department of Defense Directive 1348.14, 25 June 1963, established the Joint Service Commendation Medal. This decoration is awarded in the name of the Secretary of Defense and shall take precedence with, but before, the Army Commendation Medal when both are worn on the uniform. The decoration is not awarded to any individual for a period of service for which another meritorious decoration has been awarded.

(a) *Eligibility.* Any member of the Armed Forces of the United States who distinguishes himself by meritorious achievement or service while serving in any assignment specified in paragraph (b) of this section after 1 January 1963 is eligible for this award. The required achievement or service, while of lesser degree than that required for award of the Legion of Merit, must nevertheless have been accomplished with distinction.

(b) *Joint activities.* Military personnel assigned to the following joint activities are eligible for the award:

(1) Office of the Secretary of Defense.

(2) Organization of the Joint Chiefs of Staff.

(3) Defense Supply Agency.

(4) National Security Agency.

(5) Other Department of Defense agencies or joint activities reporting through the Joint Chiefs of Staff.

(6) Headquarters, unified and special commands.

(7) Headquarters of joint task forces, joint commands or control groups, reporting through the Joint Chiefs of Staff, unified, specified or subordinate joint commanders, to include service components assigned to a joint command for exercise purposes (e.g., STRIKE Command).

(8) Other joint activities reporting to commanders of unified or specified commands (e.g., Military Assistance Advisory Groups or Joint Missions).

§ 578.17 Presidential Medal of Freedom.

(a) *Criteria*—(1) *Medal of Freedom*. The Medal of Freedom was established by Executive Order 9586, 6 July 1945, as amended by Executive Order 10336, 5 April 1952, to be awarded to any person other than a member of the Armed Forces of the United States who, after 6 December 1941, performed a meritorious act or service which aided the United States in the prosecution of a war against an armed enemy or enemies, or similarly aided any nation engaged with the United States in the prosecution of a war against a common enemy or enemies, or during any period of national emergency declared by the President or the Congress furthered the interests or the security of the United States or of any nation allied or associated with the United States during such period when the award of any other United States military decoration was not deemed appropriate. Under special circumstances, without regard to the existence of a state of war or national emergency, the Medal of Freedom was awarded by or at the direction of the President for performance of a meritorious act or service in the interest of the security of the United States. The Medal of Freedom was reestablished as the Presidential Medal of Freedom on 22 February 1963 and no awards of the Medal of Freedom after that date are authorized.

(2) *Establishment of Presidential Medal of Freedom*. The Medal of Freedom was reestablished as the Presidential Medal of Freedom by Executive Order 11085, 22 February 1963, to be awarded to any person who has made an especially meritorious contribution to the security or national interest of the United States, to world peace or to cultural or other significant public or private endeavors. The Medal can only be awarded by the President of the United States who makes the final selection of recipients with the assistance of a Distinguished Civilian Service Awards Board. The President may select for award of the Presidential Medal of Freedom any person nominated by the Board, any person otherwise recommended to him for award of the Medal, or any person he selects upon his own initiative. Announcement of awards will be made by

the President on or about 4 July of each year.

4. Section 578.21 is revised, and new § 578.48g is added, as follows:

§ 578.21 Original issue or replacement.

(a) *General*. All United States Army medals are presented without cost to the awardee. Replacement medals are likewise issued without cost to an awardee in active Federal military service when his written request includes a

<i>Individual status</i>	<i>Direct to</i>
Personnel in active Federal military service or in Reserve components.	Unit commander.
All requests for medals in behalf of individuals having no current Army status or deceased.	Commanding Officer, U.S. Army Records Center, 9700 Page Blvd., St. Louis, Mo., 63132.
Personnel receiving retirement pay, except general officers.	Same as above.
Retired general officers.	The Adjutant General, Washington, D.C., 20310.

(b) *Discharged personnel*. All requests for medals in behalf of individuals having no current Army status, or deceased, will be forwarded to the Commanding Officer, United States Army Records Center, 9700 Page Boulevard, St. Louis, Mo., 63132.

(c) *Miscellaneous*. (1) Supply action for the Medal of Honor will be accomplished only by The Adjutant General.

(2) The Medal for Merit has not been awarded since 1952; therefore, no requirements exist for this item except for replacements.

(3) The Gold Star Lapel Button is authorized for issue to next of kin of deceased personnel.

§ 578.48g Armed Forces Expeditionary Medal.

Established by Executive Order 10977, dated 4 December 1961. This medal is authorized for:

U.S. Military Operations.
U.S. Operations in Direct Support of the United Nations.
U.S. Operations of Assistance for Friendly Foreign Nations.

(a) *Definitions*—(1) *Operation*. A military action, or the carrying out of a strategic, tactical, service, training, or administrative military mission; the process of carrying on combat including movement, supply, attack, defense, and maneuvers needed to gain the objectives of any battle or campaign.

(2) *Area of operations*. (i) The foreign territory upon which troops have actually landed or are present and specifically deployed for the direct support of the designated military operation.

(ii) Adjacent water areas in which ships are operating, patrolling, or providing direct support of operations.

(iii) The airspace above and adjacent to the area in which operations are being conducted.

(3) *Direct support*. Services being supplied the combat forces in the area of operations by ground units, ships, and aircraft providing supplies and equipment to the forces concerned, provided it involves actually entering the designated area; and ships and aircraft providing fire, patrol, guard, reconnaissance, or other military support.

statement that the original medal was lost, destroyed, or rendered unfit for use without fault or neglect on his part. Replacement of medals for individuals not on active duty or for eligible next of kin, provided the original issue had been made to them, may be made at cost price. No money should be mailed until instructions are received from The Adjutant General or the Commanding Officer, U.S. Army Records Center, 9700 Page Boulevard, St. Louis, Mo., 63132. Requests should be directed as follows:

(b) *Requirements*. Awarded for service after 1 July 1958, meeting the qualifications set forth below:

(1) *General*. Personnel must be a bona fide member of a unit engaged in the operation, or meet one or more of the following criteria:

(i) Shall serve not less than 30 consecutive days in the area of operations.

(ii) Be engaged in direct support of the operation for 30 consecutive days or 60 nonconsecutive days, provided this support involves entering the area of operations.

(iii) Serve for the full period where an operation is of less than 30 days' duration.

(iv) Be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area.

(v) Participate as a regularly assigned crewmember of an aircraft flying into, out of, within, or over the area in support of the military operation.

(vi) Be recommended, or attached to a unit recommended, by the chief of a service or the commander of a unified or specified command for award of the medal, although the criteria above have not been fulfilled. Such recommendations may be made to the Joint Chiefs of Staff for duty of such value to the operation as to warrant particular recognition.

(c) *Designated areas and dates*—(1) *U.S. military operation dates*. (i) Berlin—from 14 August 1961 to 1 June 1963.

(ii) Lebanon—from 1 July 1958 to 1 November 1958.

(iii) Quemoy and Matsu Islands—from 23 August 1958 to 1 June 1963. Taiwan Straits—from 23 August 1958 to 1 January 1959.

(iv) Cuba—from 24 October 1962 to 1 June 1963.

(2) *U.S. operations in direct support of the United Nations*. Congo—from 14 July 1960 to 1 September 1962.

(3) *U.S. operations of assistance for a friendly foreign nation*. (i) Laos—from 19 April 1961 to 7 October 1962.

(ii) Vietnam—from 1 July 1958 to a date to be announced.

Future area of operations will be announced as required.

[C5, AR 672-5-1, 14 November 1963] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 64-552; Filed, Jan. 21, 1964;
8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 206—FISHING AND HUNTING REGULATIONS

St. Lucie and Indian Rivers, Fla.

Pursuant to the provisions of section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403), § 206.70 governing the use of fishing nets in St. Lucie and Indian Rivers, Florida, is hereby revoked, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 206.70 St. Lucie and Indian Rivers,
Fla.; fishing. [Revoked]

[Regs., January 6, 1964, 1507-32 (St. Lucie and Indian Rivers, Fla.)—ENG CW-ON]
(Sec. 10, 30 Stat. 1151; 33 U.S.C. 403)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 64-551; Filed, Jan. 21, 1964;
8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Manage- ment, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3263]

ARIZONA

Withdrawal for Forest Service Admin- istrative Sites, Recreation Areas, Campgrounds, and Roadside Zones

Correction

In the correction of F.R. Doc. 63-11612, which appeared at page 13265 of the issue for Friday, December 6, 1963, item 3 should read as follows:

3. On page 11732, first column, the entry for "Sec. 28" under "KP Cienega Forest Camp" should read "Sec. 28, S½ NW¼ and N½SW¼."

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 81]

MINIMUM POULTRY MEAT CONTENT OF SOUP CONTAINING POULTRY

Postponement of Hearing and Extension of Time for Filing Comments

On October 15, 1963, there was published in the FEDERAL REGISTER (28 F.R. 11017) a notice of proposed amendments to the Regulations Governing the Inspection of Poultry and Poultry Products (7 CFR, Part 81), under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.). The proposed amendments included a proposal that would specify the minimum poultry meat content of soup which bears an unqualified reference to the kind of poultry in the product name of the soup and which is a poultry product subject to the Act (i.e., not exempted from definition of a poultry product by § 81.208 of the regulations).

A public hearing, scheduled to begin at 10:00 a.m. on January 24, 1964, in Washington, D.C., on the minimum poultry meat content of soup containing poultry, was announced in the FEDERAL REGISTER of December 28, 1963 (28 F.R. 14432). Notice is hereby given that this hearing is postponed to begin at 10:00 a.m. on March 23, 1964, in Room 218-A, Administration Building, United States Department of Agriculture, 12th-14th Streets and Independence Avenue SW., Washington, D.C., and, if necessary, will continue thereafter at such times and places as directed by the presiding officer.

The time for filing comments on the proposed amendment on soup, which was extended from December 16, 1963, to include January 31, 1964, by an announcement in the FEDERAL REGISTER of January 11, 1964 (29 F.R. 289), is hereby further extended to include March 31, 1964.

Done at Washington, D.C., this 16th day of January 1964.

G. R. GRANGE,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 64-563; Filed, Jan. 21, 1964;
8:45 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 408]

ADVERTISING AND LABELING OF CIGARETTES

Notice of Rule-Making Proceeding for Establishment of Trade Regulation Rules

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. section 41 et seq., and the pro-

visions of Subpart F of the Commission's procedures and rules of practice, 28 F.R. 7083-84 (July 1963), has initiated a proceeding for the promulgation of Trade Regulation Rules regarding unfair and deceptive acts or practices in the advertising and labeling of cigarettes.

For the purpose of carrying out the provisions of the statutes administered by it, the Commission is empowered to promulgate rules and regulations applicable to unlawful trade practices. Such Trade Regulation Rules express the experience and judgment of the Commission, based on facts of which it has knowledge derived from studies, reports, investigations, hearings, and other proceedings, or within official notice, concerning the substantive requirements of the statutes which it administers. Trade Regulation Rules do not enlarge those substantive legal prohibitions, but define and particularize them as applied to specific problems and conditions.

Where a Trade Regulation Rule is relevant to any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon the rule to resolve the issue, provided that the respondent shall have been given a fair hearing on the legality and propriety of applying the Rule to the particular case.

The Report of the Advisory Committee to the Surgeon General of the Public Health Service on Smoking and Health (issued January 11, 1964) has focused attention on the existence of problems within the statutory jurisdiction and responsibility of the Federal Trade Commission to prevent "unfair or deceptive acts or practices" in the labeling and advertising of cigarettes. The group of highly-qualified scientists constituting the Committee found, on the basis of prolonged study and evaluation of many lines of converging evidence, that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." (p. 33)

The specific findings of the Advisory Committee include the following:

Cigarette smoking is associated with a 70 percent increase in the age-specific death rates of males, and to a lesser extent with increased death rates of females. The total number of excess deaths causally related to cigarette smoking in the U.S. population cannot be accurately estimated. In view of the continuing and mounting evidence from many sources, it is the judgment of the Committee that cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate.

Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking far outweighs all other factors. The data for women, though less extensive, point in the same direction.

The risk of developing lung cancer increases with duration of smoking and the number of cigarettes smoked per day, and is diminished by discontinuing smoking. In comparison with nonsmokers, average male smokers of cigarettes have approxi-

mately a 9- to 10-fold risk of developing lung cancer and heavy smokers at least a 20-fold risk.

Cigarette smoking is the most important of the causes of chronic bronchitis, and increases the risk of dying from chronic bronchitis and emphysema. (p. 31)

It is established that male cigarette smokers have a higher death rate from coronary disease than nonsmoking males. (p. 38)

The overwhelming evidence points to the conclusion that smoking—its beginning, habituation, and occasional discontinuation—is to a large extent psychologically and socially determined. (p. 40)

Protection of the consuming public from false, misleading, deceptive or unfair advertising (including labeling) of products that may endanger human health or safety is a prime duty of the Commission. The Commission has reason to believe that much current cigarette advertising may violate the laws administered by the Commission, in that it may prevent or hinder large numbers of consumers from recognizing and appreciating the nature and extent of the substantial health hazard of cigarette smoking.

Specifically, the Commission is concerned with two ways in which cigarette advertising may be unlawfully misrepresenting or concealing the health hazards of smoking. First, the Commission has reason to believe that many current advertisements falsely state, or give the false impression, that cigarette smoking promotes health or physical well-being or is not a health hazard, or that smoking the advertised brand is less of a health hazard than smoking other brands of cigarettes.

Second, the Commission has reason to believe that much current advertising suggests or portrays cigarette smoking as being pleasurable or desirable, compatible with physical health, fitness or well-being, or indispensable to full personal development and social success, without at the same time reminding the consumer of the serious health hazard of cigarette smoking. Such advertising may create a psychological and social barrier to the consuming public's understanding and appreciation of the gravity of the risks to life and health involved in cigarette smoking.

Massive advertising, depicting and constantly reiterating the pleasures and desirability of cigarette smoking but failing to disclose the risks to health, appears to be a potent force in increasing sales of cigarettes, despite increasing scientific and governmental recognition of the existence and seriousness of such perils. Although there has been mounting evidence of the grave health hazards of cigarette smoking since at least 1954, the annual consumption of cigarettes per person has steadily and sharply increased, from fewer than 3,400 in 1954 to more than 4,000 in 1963. In the same

period the total number of cigarettes sold to the public increased from about 380 billion to about 520 billion. Meanwhile, total advertising expenditures by the industry appear to have doubled in this period, exceeding \$200 million in 1963. The Advisory Committee stated that the cigarette-smoking habit "is to a large extent psychologically and socially determined", and it would appear that the massive and increasing cigarette advertising has materially contributed to the sharp and continuous growth in cigarette consumption, in the face of the mounting evidence of the serious health hazard involved in cigarette smoking.

The Federal Trade Commission Act enacted into law basic principles for the protection of consumers against unfair or deceptive advertising. It is established that a seller may not misrepresent, whether affirmatively or by failure of disclosure, the dangers to health or safety involved in using his product. Similarly, a literally true claim regarding the consequences to health or safety of using the product may nevertheless be deceptive because of failure to disclose material facts that limit and qualify the claim. The facts and the public interest may require application of these principles to cigarette advertising and labeling. Thus, if the dangers to health involved in cigarette smoking are so serious that knowledge and appreciation of them would be a material factor in influencing a person's decision whether, or how much, to smoke cigarettes or a particular brand of cigarettes, affirmative disclosure of these dangers in cigarette advertising may be a necessary antidote to advertising which, by design or otherwise, may tend to cloud or obscure public consciousness of the health perils of cigarette smoking.

The problem of cigarette advertising and health appears to be great and increasing. In the period between 1955 and 1962, deaths from lung cancer in the United States increased from 27,000 to 41,000; deaths from heart disease rose from 273,000 in 1940 to 578,000 in 1962; and between 1945 and 1962 deaths from chronic bronchitis and emphysema increased from 2,300 to 15,000. The Report of the Surgeon General's Advisory Committee having found that cigarette smoking is a substantial cause of the increasing death rate, the Commission has determined that the public interest requires initiation of the present Trade Regulation Rule proceeding, for immediate corrective action, on a broad, equitable and industry-wide basis, to the extent of the Commission's statutory jurisdiction and responsibilities.

Included herewith are a set of proposed Trade Regulation Rules for Advertising and Labeling of Cigarettes. These Rules, and the present views of the Commission on the problem of cigarette advertising and health, are tentative and not final. On the basis of the matters presented in this Trade Regulation rule-making proceeding, and on other developments, the Commission may decide to modify, alter, withdraw, or add to the proposed rules. The Trade Regulation rule-making proceeding shall not be limited to consideration of the specific

proposed rules, but shall be an inquiry into the broad subject of protection of the public in the field of cigarette advertising (including labeling) and health.

In particular, the Commission invites consideration of the question whether, in the exercise of its statutory jurisdiction and responsibilities, the Commission should promulgate a Code of Fair Cigarette Advertising (under Subparts E or F of the Commission's procedures and rules of practice) intended especially to protect the youth of the nation against unfair or deceptive acts or practices in cigarette advertising. The extensive advertising on television for cigarettes, on programs widely watched by young people, continuously projecting an image of cigarette smoking as a socially desirable and accepted activity, consistent with good health and physical well-being, may have a great impact on impressionable young minds, and may block appreciation of the serious health hazards of smoking cigarettes. There is evidence that "Men who began smoking before age 20 have a substantially higher death rate than those who began after age 25." (Advisory Committee's Report, p. 29.) This suggests the importance of protecting young people, lacking mature judgment, from being unduly influenced by cigarette advertising to take up smoking, a habit difficult to break. (Id., p. 34)

All interested persons, including the consuming public, are hereby notified that they may file written data, views or argument concerning the proposed rules and the subject-matter of this proceeding with the Chief, Division of Trade Regulation Rules, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street at Pennsylvania Avenue NW., Washington, D.C., 20580, not later than March 2, 1964. Twenty (20) copies of such written data, views or argument shall be filed.

A public hearing on the proposed rules and the subject-matter of the proceeding will be held before the members of the Commission commencing at 10:00 a.m. on Monday, March 16, 1964, in Room 532 of the Federal Trade Commission Building, Washington, D.C. At the hearing, interested persons may appear and express their views as to the proposed rules and the subject-matter of the proceeding. Any person desiring to present his views at the public hearing shall file with the Secretary of the Commission, no later than March 5, 1964, the written text or summary of his oral presentation and the estimated time required for delivery. The Commission may impose reasonable limitations upon the length of time allotted to any person; if by reason of the limitations imposed the person cannot complete the presentation of his views he may, within twenty-four (24) hours, file a written statement covering those relevant matters which he did not orally present. A transcript of the hearing shall be made and shall constitute a part of the record of the proceeding.

These data, views or arguments presented orally or in writing will be available for examination by interested parties at the Federal Trade Commission,

Washington, D.C., and will be considered by the Commission in the establishment of Trade Regulation Rules.

All persons, firms, corporations, or others engaged in the sale or distribution of cigarettes in commerce, as "commerce" is defined in the Federal Trade Commission Act, would be subject to the requirements of any Trade Regulation Rules promulgated in the course of this proceeding.

Issued: January 17, 1964.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

PROPOSED TRADE REGULATION RULES FOR THE ADVERTISING AND LABELING OF CIGARETTES

These rules state the substantive requirements of the Federal Trade Commission Act with respect to the sale, offering for sale and distribution, in commerce, of cigarettes.

RULE 1. Either one of the following statements shall appear, clearly and prominently, in every cigarette advertisement and on every pack, box, carton and other container in which cigarettes are sold to the public:

(a) "CAUTION—CIGARETTE SMOKING IS A HEALTH HAZARD: The Surgeon General's Advisory Committee on Smoking and Health has found that 'cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate'"; or

(b) "CAUTION: Cigarette smoking is dangerous to health. It may cause death from cancer and other diseases".

Comments on Rule 1

The requirement of disclosure imposed by Rule 1 on cigarette labeling and advertising is based on the principle, established in the interpretation and application of the Federal Trade Commission Act, that it is an unfair and deceptive trade practice to fail to disclose material facts concerning a product which may influence many consumers in their decision whether to purchase the product, particularly where use of the product might endanger health or safety. The ultimate finding made by the Surgeon General's Advisory Committee on Smoking and Health, which is embodied in the caution specified in Rule 1(a), is such a fact.

An alternative, short-form cautionary statement is provided in Rule 1(b) for those advertisers who prefer to use it in, for example, a short "spot" television commercial.

The Commission believes that a uniform form of cautionary statement is necessary to protect the consuming public. If each advertiser were free to formulate a different cautionary statement, the result would be that many consumers would be confused and might fail to appreciate its significance.

RULE 2. No cigarette advertisement¹ shall state or imply, by words, pictures, symbols, sounds, devices or demonstrations, or any combination thereof, that smoking the advertised cigarettes:

(a) promotes good health or physical well-being,

(b) is not a hazard to health, or

(c) is less of a hazard to health than smoking other brands, except that a specific and factual claim respecting the

¹For purposes of Rules 2 and 3, "advertisement" includes labeling.

health consequences of smoking the advertised cigarettes may be advertised if:

(1) the advertiser, before making the claim, has substantial and reliable evidence to prove the accuracy and significance of the claim, and

(2) all facts material to the health consequences of smoking the advertised cigarettes are clearly, prominently and intelligibly disclosed in close conjunction with the claim.

Comments on Rule 2

Rule 2 is intended to prevent the confusion and misunderstanding on the part of the public that would be created if cigarette advertisers were free to contradict, in their advertising, the cautionary statement required by Rule 1. In addition, the Rule embodies the established principle that deception unlawful under the Federal Trade Commission Act may be the result of half-truths, misleading suggestions or innuendo, as well as explicit false statements or the concealment of material facts.

However, claims concerning the health or safety of particular cigarette brands, where they are truthful and substantiated, are not forbidden. Indeed, it is the Federal Trade Commission's policy to encourage the development of less hazardous cigarettes. Rule 2 accordingly permits the making of substantiated factual claims respecting the health consequences of cigarette smoking, but only under certain conditions which are necessary to protect the consumer from being misled. First, the claim must be accompanied by such explanatory or qualifying language as is necessary to make it fully clear to, and readily understandable by, the consuming public. Second, the advertiser is required, before he advertises such a claim, to have substantiating evidence of its truthfulness and significance to health. To make a claim of the kind embraced by this Rule, without such substantiation, demonstrates reckless disregard for human health and safety, and is clearly an unfair and deceptive practice.

Examples

(1) An advertisement states, "Buy Brand X, the Cigarette That Gives You Extra Protection". Such an advertisement would be unlawful even if the caution requirement of Rule 1 had been fully complied with.

(2) An advertisement states, "Brand Y Contains the New Improved Kryptonite Filter". Such an advertisement would be unlawful even if the caution requirement of Rule 1 had been fully complied with, since the advertisement would give many people the impression that Brand Y's filter makes smoking Brand Y safe or comparatively safe.

(3) An advertisement states, "Brand Z Filters Out All of the Argon From Cigarette Smoke". If the advertiser, before publishing this advertisement, has substantiated the accuracy of the claim that his filter eliminates all of the argon from cigarette smoke, he would be permitted to advertise it. If, however, it is not scientifically established that the elimination of argon significantly lessens the health hazards of cigarette smoking, the advertiser would be required so to state in close conjunction with his claim.

RULE 3. No cigarette advertisement shall contain any statement as to the quantity of any cigarette-smoke ingredients (e.g., tars and nicotine) which has not been verified in accordance with a uniform and reliable testing procedure approved by the Federal Trade Commission.

Comments on Rule 3

This Rule concerns a specific aspect of the problem dealt with in Rule 2. A quantitative disclosure of cigarette-smoke ingredients is a claim concerning the health consequences of smoking the advertised brand. It is essential, therefore, that such disclosure be meaningful to the consuming public, and not a source of confusion. Confusion can be obviated, and the ability of consumers to make an intelligent choice among competing brands protected, only if the measurement of cigarette-smoke ingredients accords with a uniform, fully reliable and approved testing procedure. (The Commission is considering approval under this Rule of the so-called "Cambridge Filter Method", presented at the 77th Annual Meeting of the Association of Official Agricultural Chemists, October 16, 1963, at Washington, D.C.)

Any advertising claim as to the quantity of any cigarette-smoke ingredients must conform with Rule 2 as well as with this Rule.

Example:

It is established under the testing procedure provided for in this Rule that the smoke of Brand X cigarettes contains 2 milligrams of tars. Brand X advertisements may therefore lawfully state that the smoke of Brand X cigarettes contains 2 milligrams of tars. However, if it is not scientifically established that a reduction of the tars content to 2 milligrams significantly lessens the health hazards of cigarette smoking, that fact, and all other material facts bearing on the health consequences of smoking Brand X, must also be disclosed in the advertisements.

[F.R. Doc. 64-570; Filed, Jan. 21, 1964; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

COMMERCIAL FISHERIES BUREAU

Assistant Director for Administration
et al.; Delegations of Authority

The regulations issued herein are based on the authority of the Director, Bureau of Commercial Fisheries, to issue such regulations. The requirements herein set forth apply as a portion of the directives system of the Bureau of Commercial Fisheries in the Bureau's Financial Assistance Investigations Handbook. Material that relates solely to internal management has not been included.

SERIES 2000—ADMINISTRATION

TITLE 2800—FINANCIAL ASSISTANCE INVESTIGATIONS

CHAPTER 2810—FINANCIAL ASSISTANCE PROGRAMS

2811.1F (15) *Delegation of authority.* The authority to execute, on behalf of the Bureau of Commercial Fisheries, a Bill of Sale for transferring title to a fishing vessel, acquired by the Bureau through foreclosure action, is hereby delegated to: The Assistant Director for Administration; the Chief, Branch of Property Management; and to Regional and Area Directors with authority to re-delegate in writing to Assistant Regional or Assistant Area Directors and Regional or Area Administrative Officers.

2811.1F (17) *Delegation of authority.* The authority to execute, on behalf of the Bureau of Commercial Fisheries, a Satisfaction of Mortgage on loans which have been fully repaid and duly satisfied is delegated to: The Assistant Director for Administration; the Chief, Branch of Budget and Finance; and the Accounting Officer, Washington Office.

HAROLD E. CROWTHER,
Acting Director.

JANUARY 16, 1964.

[F.R. Doc. 64-553; Filed, Jan. 21, 1964;
8:45 a.m.]

Geological Survey

PRODUCING OIL AND GAS FIELDS IN CERTAIN STATES

Definition of Known Geologic Structures

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of defined structures effective as of the dates shown.

Name of field, effective date, acreage

(4) ARKANSAS

Gragg-Boonville; August 10, 1963; 49,250.

(5) CALIFORNIA

Belgian Anticline Southeast (revision); May 17, 1961; 2,596.
Canton Creek; July 25, 1963; 160.
Kern Front (revision); March 16, 1963; 6,240.
McVan (revision); May 31, 1960; 600.
Premier (revision); July 16, 1963; 4,555.
Tar Creek; June 19, 1963; 930.
Topatopa-Fourfork; July 11, 1963; 840.

(6) COLORADO

Divide Creek (revision); December 20, 1962; 34,485.
North Craig; November 14, 1962; 3,838.
Rulison; December 12, 1962; 32,431.

(24) MISSISSIPPI

North Freewoods (revision); July 1, 1963; 475.
Pistol Ridge-Maxie (revision); May 7, 1962; 26,319.

(26) MONTANA

Cedar Creek (revision); June 1, 1963; 187,875.

(31) NEW MEXICO

Lynch (revision); July 29, 1963; 4,721.
Milnesand (revision); November 7, 1963; 6,333.
Triste Draw; June 10, 1963; 1,080.

(44) UTAH

Ferron; July 2, 1963; 6,083.

(50) WYOMING

Kreji; August 19, 1962; 1,040.

THOMAS B. NOLAN,
Director.

[F.R. Doc. 64-554; Filed, Jan. 21, 1964;
8:45 a.m.]

National Park Service

[Order No. 1]

PLATT NATIONAL PARK, SULPHUR, OKLA.

Administrative Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

SECTION 1. The Administrative Assistant, Platt National Park, may execute and approve contracts not in excess of \$25,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(National Park Service Order No. 14 (19 F.R. 8824), as amended; 39 Stat. 535, 16 U.S.C. Sec. 2; Southwest Region Order No. 3 (21 F.R. 1494))

Dated: December 20, 1963.

PAUL M. STEEL,
Superintendent,
Platt National Park.

[F.R. Doc. 64-555; Filed, Jan. 21, 1964;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-215]

AMERICAN RADIATOR & STANDARD SANITARY CORP.

Notice of Application for Utilization Facility Export License

Please take notice that American Radiator & Standard Sanitary Corporation represented by Advanced Technology Laboratories, a Division of American-Standard, 369 Whisman Road, Mountain View, California, has submitted an application dated December 23, 1963, for a license authorizing the export of a 10 watt, water-moderated, graphite-reflected, Model UTR-B teaching and research nuclear reactor to Queen Mary College (University of London), London, England.

A copy of the application is on file in the AEC Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 17th day of January 1964.

For the Atomic Energy Commission.

R. LOWENSTEIN,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 64-631; Filed, Jan. 21, 1964;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

DEL STONEBURNER LIVESTOCK AUCTION ET AL.

Proposed Posting of Stockyards

The Chief of the Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

Del Stoneburner Livestock Auction, Petaluma, Calif.

Middlesex Livestock Auction, Middlefield, Conn.

Chuck Vawter Sales Management Service, Inc., Oakley, Kans.

Big Sandy Live Stock Market, Inc., Ivel, Ky.

Friend's Stockyard, Inc., Accident, Md.

Producers Livestock Market, Marshall, Mo.

Beulah Livestock Auction Market, Inc., Beulah, N. Dak.

The Tiffin Livestock Sales Co., Tiffin, Ohio.

Kingsport Live Stock Auction Corp., Kingsport, Tenn.

West Texas Livestock Sales Co., Plainview, Tex.

Notice is hereby given, therefore, that the said Chief, pursuant to authority

delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Chief, Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., within 15 days after publication hereof in the **FEDERAL REGISTER**.

Done at Washington, D.C., this 17th day of January 1964.

H. L. JONES,
Chief, Rates and Registrations
Branch, Packers and Stock-
yards Division, Agricultural
Marketing Service.

[F.R. Doc. 64-575; Filed, Jan. 21, 1964;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1649]

GULF-SOUTHWEST CAPITAL CORP.

Notice of Filing of Application for Order Exempting Transactions Be- tween Affiliates

JANUARY 14, 1964.

Notice is hereby given that Gulf-Southwest Capital Corporation ("applicant"), Esperson Building, Houston 2, Texas, a registered closed-end non-diversified investment company, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 17(a) of the Act the effectuation of an agreement between applicant and The Narda Microwave Corporation ("Narda") to change the expiration dates of certain warrants issued by Narda and held by applicant. All interested persons are referred to the application filed with the Commission for a complete statement of the representations therein which are summarized below.

Applicant is licensed as a small business investment company under the Small Business Investment Act of 1958. Narda is primarily engaged in the manufacture and sale of electronic microwave equipment. Applicant holds 50,000 shares, or 7.6 percent, of the outstanding common stock of Narda, and Narda is accordingly an affiliated person of applicant under the Act.

The warrants, the expiration dates of which are proposed to be changed, were acquired by applicant from Narda in November 1961 in connection with its acquisition of said 50,000 shares of Narda

common stock and a \$300,000 principal amount 6 percent installment note of Narda. There are twenty such warrants, one of which expires each quarter commencing February 1, 1964 and ending November 1, 1968. Each warrant carries the right to purchase 2,500 shares of common stock of Narda at a price of \$6.00 per share.

Applicant and Narda on November 6, 1963 entered into an agreement to change the expiration date of the warrants so that each warrant will remain valid until April 1, 1967 and will expire on that date. This will result in an extension of the expiration date of certain of the warrants and an advance of the expiration date of others. No other consideration has been or is to be paid or given by Narda or by applicant in connection with said agreement. The agreement was ratified at the annual meeting of stockholders of Narda on November 9, 1963 and has been authorized by applicant's board of directors.

As reported in the National Daily Quotation Service on December 6, 1963 the high and low bid price of shares of common stock of Narda in the over-the-counter market were 17½ and 1¾ respectively. Applicant has not as yet exercised any of the Narda warrants.

The management of Narda desires to advance the expiration dates of the warrants having the latest expiration dates in order to reduce the total period in which any of the warrants may be outstanding. Applicant desires that the expiration dates of other warrants with maturity dates, commencing February 1, 1964, be postponed, as applicant does not expect to exercise any of the warrants in the near future.

Section 17(a) of the Act, as here pertinent, prohibits an affiliated person of a registered investment company from selling to or purchasing from such registered company securities or property, unless the Commission upon application pursuant to section 17(b), grants an exemption from such provisions upon a finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than January 29, 1964 submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if

the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by registered mail to the Director, Office of Investment, Small Business Administration, Washington, D.C., 20416.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 64-556; Filed, Jan. 21, 1964;
8:45 a.m.]

[File No. 24W-2162]

RIVER ASPHALT, INC.

Order Temporarily Suspending Ex- emption, Statement of Reason Therefor, and Notice of Opportunity for Hearing

JANUARY 16, 1964.

I. River Asphalt, Inc. (Issuer), Post Office Box 366, Newell, West Virginia, a West Virginia corporation, incorporated on June 9, 1958 with principal offices located in Hancock County, at Kenilworth on West Virginia Route No. 66 near Newell, West Virginia, Post Office Box 366, Newell, West Virginia, filed with the Commission on July 25, 1958, a notification on Form 1-A and an offering circular relating to an offering of 850 shares of no par value common stock at \$100.00 per share for an aggregate of \$85,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reason to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer has failed to furnish financial statements as of a date within the 90-day period as required by Schedule 1 of Regulation A.

2. The issuer has failed to reflect the "stated" or "assigned" value ascribed to no par value shares in the filed Statement of Capital Shares.

3. The issuer has failed to delete dollar amounts and references to appraisals in the notes to the submitted financial statements for assets acquired by the issuance of capital stock.

B. The issuer has failed to cooperate in that it has failed to amend or to withdraw its filing.

C. Any offering would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended:

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty days after the entry of this order; that within twenty days after receipt of

such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 64-557; Filed, Jan. 21, 1964;
8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI64-524 etc.]

KAY KIMBELL OIL PROPERTIES ET AL. Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

JANUARY 10, 1964.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 15.025 psia with the exceptions of the sales made by Yates Petroleum Corporation (Operator), et al., and Skelly Oil Company (Operator), et al., which are made at a pressure base of 14.65 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI64-524...	Kay Kimbell Oil Properties (Operator), et al., P.O. Box 1540, Fort Worth, Tex., Attn: Mr. Sam Sims, Jr.	1	3	El Paso Natural Gas Co. (Base of Pictured Cliffs Formation to base of Dakota Formation, Rio Arriba County, N. Mex.) (San Juan Basin Area).	\$4,053	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	5	1	El Paso Natural Gas Co. (Dakota Formation, San Juan County, N. Mex.) (San Juan Basin Area).	2,541	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	6	2	do	325	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	8	1	do	1,513	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	10	1	El Paso Natural Gas Co. (Dakota Formation, Rio Arriba County, N. Mex.) (San Juan Basin Area).	225	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	11	1	do	574	12-18-63	1-1-64	6-18-64	13.0	14.0	
	do	12	2	do	1,092	12-18-63	1-1-64	6-18-64	13.0	14.0	
RI64-525...	J. C. Man, Jr., 1010 City National Bldg., Wichita Falls, Tex.	3	1	El Paso Natural Gas Co. (Dakota Formation, San Juan County, N. Mex.) (San Juan Basin Area).	27	12-13-63	1-1-64	6-13-64	13.0	14.0536	
	do	2	1	do	595	12-13-63	1-1-64	6-13-64	13.0	14.0536	
RI64-526...	Yates Petroleum Corp. (Operator), et al., 309 Carper Bldg., Artesia, N. Mex.	1	1	Transwestern Pipeline Co. (Atoka Field, Eddy County, N. Mex.) (Permian Basin Area).	354	12-9-63	1-1-64	6-15-64	16.0	16.0770	
RI64-527...	E. P. Campbell (Operator), et al., P.O. Box 1540, Fort Worth, Tex.	1	1	El Paso Natural Gas Co. (Dakota Formation, San Juan County, N. Mex.) (San Juan Basin Area).	392	12-18-63	1-1-64	6-18-64	13.0	14.0	
RI64-528...	Socony Mobil Oil Co., Inc., 160 East 42d St., New York, N.Y. 10017.	329	2	El Paso Natural Gas Co. (San Juan Basin Field, La Plata County, Colo.).	4	12-18-63	1-1-64	6-18-64	13.0	14.0	
RI64-529...	Kingwood Oil Co. (Operator), et al., 1470 First National Bldg., Oklahoma City, Okla. Attn: C. A. McKenzie, attorney.	7	1	El Paso Natural Gas Co. (Dakota Formation, San Juan County, N. Mex.) (San Juan Basin Area).	817	12-12-63	1-1-64	6-12-64	13.0	14.0	
RI64-530...	D. W. Falls, Inc., P.O. Box 842, Aztec, N. Mex.	1	1	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	433	12-16-63	1-1-64	6-16-64	12.0	13.0	
RI64-531...	Skelly Oil Co. (Operator), et al., P.O. Box 1650, Tulsa, Okla.	145	3	Tennessee Gas Transmission Co. (Random Field, Fort Bend County, Tex.) (R.R. District No. 3).	2,751	12-19-63	1-1-64	6-19-64	13.49751	14.50000	

¹ The stated effective date is the first day after the expiration of the required statutory notice.

² Periodic rate increase.

³ Includes 1.0 cent per Mcf added to reflect minimum guarantee for liquids.

⁴ Includes 1.0 cent per Mcf minimum guarantee for liquids.

⁵ Includes partial reimbursement for 0.53 percent increase in New Mexico Oil and Gas Emergency School Tax.

⁶ The stated effective date is the effective date requested by Respondent.

⁷ Tax reimbursement increase.

⁸ Filing completed on Dec. 23, 1963.

⁹ Includes 1.0 cent per Mcf reduction in price for gas delivered at 250 psig (well is incapable of meeting 500 psig contract pressure requirement).

¹⁰ Includes dehydration allowance of 0.21931 cent per Mcf paid by buyer for delivery of dehydrated gas by seller.

¹¹ Excludes tax reimbursement.

Kay Kimbell Oil Properties (Operator), et al. (Kay Kimbell), J. C. Man, Jr., E. P. Campbell (Operator), et al. (Campbell), Kingwood Oil Company (Operator), et al. (Kingwood), D. W. Falls, Inc. (Falls), and Skelly Oil Com-

pany (Operator), et al., all request an effective date of January 1, 1964, for their proposed rate increases. Yates Petroleum Corporation (Operator), et al., requests an effective date of January 15, 1965, and Socony Mobil Oil Company,

Inc., requests an effective date of January 16, 1964, for their proposed rate in-

¹² This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

creases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for the aforementioned producers' rate filings and such requests are denied.

The proposed rate increases filed by Kay Kimbell, Campbell, Kingwood and Falls provide for tax reimbursement computed on the contract base rate of 12.0 cents per Mcf exclusive of the 1.0 cent per Mcf minimum guarantee for liquids. The addition of this minimum guarantee of 1.0 cent per Mcf to the base rate of 12.0 cents per Mcf plus tax reimbursement results in a total proposed rate in excess of the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin Area.

While the proposed increased rate of Falls does not exceed the applicable area ceiling for increased rates, it includes a 1.0 cent per Mcf reduction in price to the seller as consideration for a reduction in line pressure which will later be a compression cost to the buyer. The addition of the compression cost to the proposed 13.0 cents per Mcf rate will cause it to exceed the area ceiling for increased rates and should, therefore, be suspended as hereinafter ordered.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 5, 1964.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-499; Filed, Jan. 21, 1964;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14847 etc.]

SOUTH PACIFIC-PAN AMERICAN ROUTE TRANSFER CASE

Notice of Hearing

In the matter of the application of South Pacific Air Lines and Pan American World Airways, Inc., for approval of a purchase and transfer agreement (Route 115) and amendment of Route 115 certificate.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on January 30, 1964, at 10:00 a.m. (e.s.t.), in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on January 15, 1964, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 16, 1964.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 64-573; Filed, Jan. 21, 1964;
8:46 a.m.]

FEDERAL MARITIME COMMISSION

[No. 1168]

LOUIS APPLEBAUM

Application for Freight Forwarding License

On January 5, 1962, pursuant to section 44 of the Shipping Act, 1916 (P.L. 87-254, 46 U.S.C. 841(b)), Louis Applebaum filed application for a license as an independent ocean freight forwarder. After consideration of the application, the Commission notified Louis Applebaum by letter of October 18, 1963, that it intended to deny the application for a license because the applicant, as owner of Mercury Sales & Export Co., 8 Bridge Street, New York 4, N.Y., a firm engaged in the export of housewares, hardware, plumbing goods and furniture, could not qualify as a person eligible for licensing within the statutory definition of "independent ocean freight forwarder". The

applicant has now requested the opportunity to show at a hearing that denial of the application would not be warranted.

Therefore it is ordered, Pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 821, 841(b)), that a proceeding is hereby instituted to determine whether the applicant qualifies for a license within the meaning of First Section (46 U.S.C. 801) of the Shipping Act, 1916.

It is further ordered, That Louis Applebaum be made respondent in this proceeding and the matter assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondent, Louis Applebaum.

It is further ordered, That any persons, other than respondent, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 30, 1964 and;

It is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission, January 14, 1964.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 64-572; Filed, Jan. 21, 1964;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 288]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 17, 1964.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience

in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2542 (Deviation No. 11), THE ADLEY CORPORATION, doing business as, ADLEY EXPRESS COMPANY, 216 Crown Street, New Haven, Conn., filed January 3, 1964. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: from junction Delaware Memorial Bridge and U.S. Highway 40 in Delaware, over bypass connection to Interstate Highway 95, thence over Interstate Highway 95 to Baltimore, Md., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Washington, D.C. over U.S. Highway 50 to junction U.S. Highway 301, thence over U.S. Highway 301 to junction Maryland Highway 2, thence over Maryland Highway 2 to Baltimore, Md., thence over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction unnumbered highway (formerly U.S. Highway 130), thence over unnumbered highway via Gibbstown, Paulsboro, and Thorofare, N.J., to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1 and thence over U.S. Highway 1 to New York, N.Y., and return over the same route.

No. MC 4966 (Deviation No. 1), JONES TRANSFER COMPANY, 927 Washington Street, Monroe, Mich., applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226, filed December 27, 1963. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (A) from Detroit, Mich., over Interstate Highway 96 to Howell, Mich., (B) from junction U.S. Highway 25 and Interstate Highway 75 over Interstate Highway 75 to Toledo, Ohio, (C) from Detroit over Interstate Highway 94 to Ypsilanti, Mich., and (D) from junction U.S. Highway 10 and Interstate Highway 75 in Pontiac, Mich., over Interstate Highway 75 to Flint, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Detroit over U.S. Highway 16 to Howell; from Detroit over U.S. Highway 25 to Monroe, Mich., thence over Michigan Highway 50 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 25, thence over U.S. Highway 25 to Toledo; from Detroit over U.S. Highway 112 to Clinton, Mich.; and from Detroit over U.S. Highway 10 to Flint, and return over the same routes.

No. MC 23441 (Deviation No. 1), LAY TRUCKING COMPANY, INC., 1312 Lake Street, La Porte, Ind., filed December 23, 1963. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows:

(A) From La Porte, Ind., at the junction U.S. Highway 35 and Indiana Highway 2 over Indiana Highway 2 west to junction U.S. Highway 421 (approximately 9 miles west of La Porte), thence over U.S. Highway 421 north to the interchange with the Indiana Toll Road thence over the Indiana Toll Road to its westernmost end designated as the West End Interchange at its junction with U.S. Highway 20 at the Indiana-Illinois State line, and (B) from junction U.S. Highway 35 and Indiana Highway 2 over Indiana Highway 2 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Indiana Highway 49, thence over Indiana Highway 49 to its interchange with the Indiana Toll Road thence over the Indiana Toll Road to its westernmost end designated as the West End Interchange at its junction with U.S. Highway 20 at the Indiana-Illinois State line, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From La Porte over U.S. Highway 35 to junction U.S. Highway 20, thence over U.S. Highway 20 to Chicago, Ill., and return over the same route.

No. MC 48958 (Deviation No. 9), ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver 16, Colo., filed January 3, 1964. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: from Council Bluffs, Iowa, over U.S. Highway 6 and those portions of Interstate Highway 80 which are complete and opened to traffic, to Iowa City, Iowa, thence over U.S. Highway 218 to Mount Pleasant, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Peoria, Ill., over Illinois Highway 116 to junction U.S. Highway 34, thence over U.S. Highway 34 via Lincoln, Nebr., to junction U.S. Highway 281, thence over U.S. Highway 281 to Grand Island, Nebr., thence over U.S. Highway 30 via Brule, Nebr., to Cheyenne, Wyo., and thence over U.S. Highway 85 to Denver, Colo.; and, from Glenwood, Iowa, over U.S. Highway 275 to Council Bluffs, and return over the same routes.

No. MC 66562 (Deviation No. 13), RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017, applicant's attorney: William H. Marx (same address as applicant), filed January 8, 1964. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, moving in express service, over deviation routes as follows: (A) From Albany, N.Y., over Interstate Highway 87 to junction U.S. Highway 9, south of Lake George, N.Y., and (B) from junction U.S. Highway 9 and Interstate Highway 87, south of Keeseville, N.Y., over Interstate Highway 87 to Champlain, N.Y., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Albany over U.S. Highway 11 to Rouses Point, N.Y., and return over the same route.

ently authorized to transport the same commodities over a pertinent service route as follows: From Albany over U.S. Highway 9 to Champlain, thence over U.S. Highway 11 to Rouses Point, N.Y., and return over the same route.

No. MC 68909 (Deviation No. 6), DECATUR SEAWAY MOTOR EXPRESS, INC., 3537 Broadway, Kansas City 11, Mo., filed December 26, 1963. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 74 to Cincinnati, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis over U.S. Highway 52 to Cincinnati, and return over the same route.

No. MC 69833 (Deviation No. 7), ASSOCIATED TRUCK LINES, INC., 15 Andre Street, SE., Grand Rapids 7, Mich., filed January 9, 1964. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 74 to Cincinnati, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis over U.S. Highway 421 (formerly Indiana Highway 29) to Greensburg, Ind., thence over Indiana Highway 46 to junction U.S. Highway 52, and thence over U.S. Highway 52 to Cincinnati, and return over the same route.

No. MC 69833 (Deviation No. 8), ASSOCIATED TRUCK LINES, INC., 15 Andre Street, SE., Grand Rapids 7, Mich., filed January 9, 1964. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From junction Michigan Highway 21 and Interstate Highway 196, at or near Holland, Mich., over Interstate Highway 196 to junction Interstate Highway 94, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Benton Harbor, Mich., over U.S. Highway 33 (formerly U.S. Highway 31) to junction Business U.S. Highway 31 (formerly U.S. Highway 31), thence over Business U.S. Highway 31 to junction U.S. Highway 31, thence over U.S. Highway 31 to Holland, Mich., thence over Michigan Highway 21 to Grand Rapids, Mich., and thence over unnumbered highway (formerly U.S. Highway 131) to Kalamazoo, Mich., and return over the same route.

No. MC 69833 (Deviation No. 9), ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids 7, Mich., filed January 9, 1964. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (A) From Kalamazoo,

Mich., over U.S. Highway 131 to junction unnumbered highway (formerly U.S. Highway 131), at or near Schoolcraft, Mich., thence over U.S. Highway 131 to junction U.S. Highway 12 (formerly U.S. Highway 112), and thence over U.S. Highway 12 to White Pigeon, Mich., and (B) from Grand Rapids, Mich., over U.S. Highway 131 to Kalamazoo, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Muskegon, Mich., over Michigan Highway 46 to junction Michigan Highway 37, thence over Michigan Highway 37 to Grand Rapids, thence over unnumbered highway (formerly U.S. Highway 131) via Kalamazoo to Schoolcraft, thence over U.S. Highway 131 to junction U.S. Highway 12 (formerly U.S. Highway 112), and thence over U.S. Highway 12 to White Pigeon, Mich., and return over the same route.

No. MC 71478 (Deviation No. 7), THE CHIEF FREIGHT LINES COMPANY, 1229½ Union Avenue, Kansas City 1, Mo., filed January 8, 1964. Applicant's attorney: Tom B. Kretsinger, 510 Professional Building, Kansas City 6, Mo. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City over city streets to Kansas City, Kans., thence over Kansas Highway 10 to the beginning of Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 59, thence to Tulsa, Okla., over its presently authorized regular route, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kansas City over city streets to Kansas City, Kans., thence over Kansas Highway 10 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction U.S. Highway 59, thence over U.S. Highway 59 to Garnett, Kans., thence over U.S. Highway 169 via Nowata, Okla., to Collinsville, Okla., and thence over U.S. Highway 75 to Tulsa; from Kansas City to Nowata as specified above, thence over U.S. Highway 60 to junction Oklahoma Highway 28, thence over Oklahoma Highway 28 to Chelsea, Okla., and thence over U.S. Highway 66 to Tulsa; from Kansas City to Nowata as specified above, thence over U.S. Highway 60 via Bartlesville, Okla., to junction unnumbered highway, thence over unnumbered highway via Okeas, Okla., to Pawhuska, Okla., thence over Oklahoma Highway 99 to Cleveland, Okla., and thence over U.S. Highway 64 to Tulsa and from Kansas City to Bartlesville as specified above, thence over Oklahoma Highway 23 to Barnsdall, Okla., thence over Oklahoma Highway 11 to junction Oklahoma Highway 99, thence over Oklahoma Highway 99 to Cleveland, Okla., and thence over U.S. Highway 64 to Tulsa, and return over the same routes.

No. MC 75185 (Sub-No. 9), (Deviation No. 1), SERVICE TRUCKING CO., INC.,

Box 276, Federalsburg, Md., filed December 27, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Delaware Memorial Bridge and U.S. Highway 40 in Delaware, over by-pass connection to Interstate Highway 95, thence over Interstate Highway 95 to Baltimore, Md., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Baltimore over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to New York, N.Y., and return over the same route.

No. MC 75295 (Deviation No. 2), EAST COAST FREIGHT LINES, 3005 West Marshall Street, Richmond 30, Va., filed January 8, 1964. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Baltimore, Md., over Interstate Highway 95 to junction U.S. Highway 40 and the Delaware Memorial Bridge, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Richmond, Va., over U.S. Highway 1 to New York, N.Y., and return over the same route.

No. MC 78786 (Deviation No. 2), PACIFIC MOTOR TRUCKING COMPANY, 65 Market Street, San Francisco 5, Calif., filed January 8, 1964. Applicant's attorney: John MacDonald Smith (same address as applicant). Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From El Paso, Tex., over Interstate Highway 10 to Las Cruces, N. Mex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From El Paso over U.S. Highway 80 to Las Cruces, thence over U.S. Highway 70 to Glenbar, Ariz., and return over the same route.

No. MC 107500 (Deviation No. 13), BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill., filed December 29, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 150 and Illinois Highway 78 over Illinois Highway 78 to junction Illinois Highway 8, approximately 1 mile north of Elmwood, Ill., thence over Illinois Highway 8 to Peoria, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Galesburg, Ill., over U.S. Highway 150 to Peoria, and return over the same route.

No. MC 107511 (Deviation No. 1), INDIANAPOLIS-KANSAS CITY MOTOR EXPRESS CO., 3537 Broadway, Kansas City 11, Mo., filed December 26, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to Indianapolis, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kansas City over U.S. Highway 40 to St. Louis, Mo., thence over U.S. Highway 66 to Springfield, Ill., thence over U.S. Highway 36 to Indianapolis, and return over the same route.

No. MC 107511 (Deviation No. 2), INDIANAPOLIS-KANSAS CITY MOTOR EXPRESS CO., 3537 Broadway, Kansas City 11, Mo., filed December 26, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Indianapolis, Ind., over Interstate Highway 74 to Cincinnati, Ohio, and (B) from Huntington, W. Va., over Interstate Highway 64 to Richmond, Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis, over U.S. Highway 52 to Huntington, thence over U.S. Highway 60 to Richmond, Va., and return over the same route.

No. MC 108382 (Deviation No. 1), SHORT FREIGHT LINES, INC., 220 Saginaw Street, Bay City, Mich., filed January 6, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Toledo, Ohio, over Interstate Highway 75 to junction U.S. Highway 25, (B) from Toledo over U.S. Highway 23 to junction Interstate Highway 75, southwest of Flint, Mich., (C) from Detroit, Mich., over Interstate Highway 75 to junction U.S. Highway 23, near Kawkawlin, Mich., (D) from Detroit over Interstate Highway 96 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Interstate Highway 75 near Kawkawlin, and (E) from junction Michigan Highway 76 and Interstate Highway 75, south of Grayling, Mich., over Interstate Highway 75 to Sault Ste. Marie, Mich. and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Toledo over U.S. Highway 24 to junction U.S. Highway 25, thence over U.S. Highway 25 to Detroit; from Toledo over U.S. Highway 24 to junction U.S. Highway 25, thence over U.S. Highway 25 to Detroit, thence over U.S. Highway 10 to Flint, Mich.; from Detroit over U.S. Highway 10 to Flint, thence over U.S. Highway 23 to junction Michigan Highway 76; and from West Branch, Mich., over Michigan Highway 76 to Roscommon, Mich., thence

over U.S. Highway 27 to Cheboygan, Mich., thence over U.S. Highway 23 to the Straits of Mackinac Bridge, thence over the Straits of Mackinac Bridge to junction U.S. Highway 2, thence over U.S. Highway 2 to Sault Ste. Marie, and return over the same route.

No. MC 111383 (Sub-No. 5) (Deviation No. 5), **BRASWELL MOTOR FREIGHT LINES, INC.**, 301 Raynolds Street, El Paso, Tex., filed December 26, 1963. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From El Paso, Tex., over Interstate Highway 10 to Las Cruces, N. Mex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From El Paso over U.S. Highway 80 to Las Cruces, and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Deviation No. 144) (CORRECTION) **THE GREYHOUND CORPORATION** (Southern Greyhound Lines Division), Post Office Box 297, Lexington 14, Ky., filed December 5, 1963, and published in the December 18, 1963 issue of the FEDERAL REGISTER. Under proposed route (B) reference is made to Kentucky Highway 75, whereas the correct name of the highway is West Virginia Highway 75.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-565; Filed, Jan. 21, 1964;
8:45 a.m.]

[Notice No. 591]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 17, 1964.

Section A. The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Section B. The following publications are governed by the Interstate Commerce Commission's general rules of practice including Special Rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING

SECTION A

MOTOR CARRIERS OF PROPERTY

No. MC 69116 (Sub-No. 77), filed January 8, 1964. Applicant: **SPECTOR**

No. 15—3

FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago 8, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Winneconne, Wis., as an off-route point in connection with applicant's presently authorized regular route operations.

HEARING: February 11, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 96.

No. MC 69116 (Sub-No. 78), filed January 12, 1964. Applicant: **SPECTOR FREIGHT SYSTEM, INC.**, 3100 South Wolcott Avenue, Chicago 8, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Grabbill, Ind., as an off-route point in connection with applicant's regular-route operations.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner A. Lane Crichter.

No. MC 95540 (Sub-No. 565), filed January 13, 1964. Applicant: **WATKINS MOTOR LINES, INC.**, Albany Highway, Thomasville, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, in straight and mixed shipments with commodities exempt from economic regulations pursuant to the provisions of section 203(b)(6) of the Interstate Commerce Act, in vehicles equipped with mechanical refrigeration, from points in Arizona and California to points in Mississippi, Tennessee, Georgia, Florida, Alabama, North Carolina, and South Carolina.

NOTE: Common control may be involved.

HEARING: February 6, 1964, at the Federal Building, Los Angeles, Calif., before Examiner Bernard J. Hasson, Jr.

No. MC 112520 (Sub-No. 99), filed January 13, 1964. Applicant: **McKENZIE TANK LINES, INC.**, New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol. H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Clay slurry, in bulk, from points in Twiggs, Washington, and Wilkinson Counties, Ga., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee, and (2) Clay, processed and unprocessed, in bulk, from points in Aiken County, S.C., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE: Common control may be involved.

HEARING: February 5, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allen W. Hagerty.

SECTION B

MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub-No. 67), filed November 21, 1963. Applicant: **HARPER MOTOR LINES, INC.**, 213 Long Avenue, Elberton, Ga. Applicant's attorney: Monty Schumacher, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, other than frozen foods and those in bulk in tank vehicles, from Milton, Pa., to points in Georgia, North Carolina, and South Carolina.

NOTE: Applicant states that no duplicating authority is sought.

HEARING: February 28, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 11220 (Sub-No. 85), filed November 14, 1963. Applicant: **GORDONS TRANSPORTS, INC.**, 185 West McLemore Avenue, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, and except livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Fulton, Ky., and junction Tennessee Highway 69 and U.S. Highway 64 near Crump, Tenn.; from Fulton over U.S. Highway 45E to Martin, Tenn., thence over Tennessee Highway 22 to junction Tennessee Highway 69 near Milledgeville, Tenn., thence over Tennessee Highway 69 to junction U.S. Highway 64 near Crump, Tenn., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular-route operations. **RESTRICTION:** Service at the termini of this route will be restricted to joinder only with applicant's presently authorized regular-route operations.

NOTE: Common control may be involved.

HEARING: March 4, 1964, at the Dinkler Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 25.

No. MC 30837 (Sub-No. 297), filed November 8, 1963. Applicant: **KENOSHA AUTO TRANSPORT CORPORATION**, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1903 N Street NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Shock wave shakers, in initial truckaway service, from Natoma and Yuba City, Calif., to points in the United States except those in Alaska and Hawaii.

HEARING: March 2, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 52709 (Sub-No. 232), filed November 20, 1963. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic liquid plastics and cleaning compounds*, in bulk, in tank vehicles, from Bristol and Philadelphia, Pa., and Knoxville, Tenn., to points in California.

NOTE: Common control may be involved.

HEARING: February 25, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 52953 (Sub-No. 27), filed December 6, 1963. Applicant: ET & WNC TRANSPORTATION COMPANY, a corporation, 132 Legion Street, Johnson City, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Knoxville and Jackson, Tenn.; from Knoxville over Interstate Highway 40 to Kingston, Tenn., thence over U.S. Highway 70 to Crossville, Tenn., thence over U.S. Highway 70S to Sparta, Tenn., thence over Tennessee Highway 26 to Lebanon, Tenn. (also from Crossville over U.S. Highway 70N to Lebanon), thence over U.S. Highway 70N to Nashville, Tenn., thence over Interstate Highway 40 to junction Tennessee Highway 96, thence over Tennessee Highway 96 to Dickson, Tenn., thence over U.S. Highway 70 to junction Interstate Highway 40, approximately six (6) miles northeast of Jackson, Tenn., thence over Interstate Highway 40 to junction U.S. Highway 45, thence over U.S. Highway 45 to Jackson, and return over the same route, serving no intermediate points, (2) between Knoxville and Braden, Tenn.; from Knoxville over the above-specified routes in (1) above to junction Interstate Highway 40 and U.S. Highway 45, thence over Interstate Highway 40 to junction Tennessee Highway 59, and thence over Tennessee Highway 59 to Braden, and return over the same route, serving no intermediate points, and (3) between Knoxville and Jackson, Tenn.; from Knoxville over the above-specified routes in (1) above to Nashville, Tenn.; thence over Tennessee Highway 100 to Parsons, Tenn., and thence over Tennessee Highway 20 to Jackson, and return over the same route, serving no intermediate points.

HEARING: March 6, 1964, at the Dinkler Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 107.

No. MC 59264 (Sub-No. 31), filed November 19, 1963. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning products*, from Frederick, Md., to Aber-

deen, Annapolis, Baltimore, Beltsville, Brentwood, Camp Springs (Andrews Air Force Base), Clinton, Cumberland, Edgewood, Frederick, Hagerstown, Landover, Odenton (Fort George G. Meade), Patuxent River, Salisbury, and Snow Hill, Md., to Chambersburg, Hanover, Harrisburg, and York, Pa., to Alexandria, Arlington, Charlottesville, Culpeper, Fort Belvoir, Fredericksburg, Harrisonburg, Luray, Orange, Quantico, Richmond, Riverton, Staunton, Warrenton, Waynesboro, West Point, and Winchester, Va., to Martinsburg and Petersburg, W. Va., and to Washington, D.C., and empty containers or other incidental facilities (not specified) used in transporting the above described commodities, on return.

HEARING: February 24, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank R. Saltzman.

No. MC 80430 (Sub-No. 107), filed November 29, 1963. Applicant: GATEWAY TRANSPORTATION CO., INC., 2130 South Avenue, La Crosse, Wis. Applicant's attorney: Joseph E. Ludden (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Iowa City, Iowa, and junction U.S. Highway 151 and Iowa Highway 1, from Iowa City over Iowa Highway 1 through Mt. Vernon, Iowa, to junction U.S. Highway 151, at or near Anamosa, Iowa, and return over the same route, serving no intermediate points and serving the junction of U.S. Highway 151 and Iowa Highway 1 for the purpose of joinder only, as an alternate route for operating convenience only, to be used in connection with applicant's authorized regular-route operations, and (2) between Stockton, Ill., and Virginia, Ill., from Stockton, at the junction of U.S. Highway 20 and Illinois Highway 78, thence over Illinois Highway 78 to junction U.S. Highway 67 and Illinois Highway 125 at Virginia, and return over the same route, serving no intermediate points and serving the junction of Illinois Highways 78 and 125 and U.S. Highway 67 for the purpose of joinder only, as an alternate route for operating convenience only, to be used in connection with applicant's authorized regular-route operations.

HEARING: February 24, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 54.

No. MC 95304 (Sub-No. 12), filed November 20, 1963. Applicant: NORTHERN NECK TRANSFER, INC., Post Office Box 345, Montross, Va. Applicant's attorney: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Slabs (building and roofing) concrete, made of Portland cement with wood fibre or chip aggregate and without metal reinforcement*, on flatbed trailers, from the plant site and warehouse fa-

cilities of the Flintkote Company, located at Richmond, Va., to points in Ohio, Indiana, Illinois, Michigan, Missouri, Tennessee, Wisconsin, and Iowa, and rejected shipments, on return, and (2) *beer*, in containers, from Milwaukee, Wis., and Fort Wayne, Ind., to Warsaw, Va.

HEARING: February 25, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 98385 (Sub-No. 1), filed November 29, 1963. Applicant: VERNON WOODS, doing business as WOODS TRUCK LINE, Route 1, Box 274, Grass Valley, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in California.

HEARING: March 4, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 101932 (Sub-No. 3), filed November 20, 1963. Applicant: THE HUB EXPRESS, a corporation, 1932 East McGalliard Avenue, Trenton 10, N.J. Applicant's attorney: Robert Watkins, 170 South Broad Street, Trenton, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics and household supplies*, in packages, from Trenton, N.J., to points in Monmouth, Mercer, Burlington, Ocean, Camden, Gloucester, Atlantic, Salem, Cumberland, and Cape May Counties, N.J., and points in Middlesex County, N.J. south of Raritan River (on shipments having a prior movement from Newark, Del., to Trenton, N.J.).

NOTE: Applicant states the proposed service is for the account of Avon Products, Inc., Newark, Del.

HEARING: February 26, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles B. Heinemann.

No. MC 107002 (Sub-No. 180), filed November 17, 1963. Applicant: W. M. CHAMBERS TRUCK LINE, INC., Post Office Box 1123, Jackson, Miss. Applicant's attorney: Harold D. Miller, Jr., Suite 700, Petroleum Building, Jackson 5, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils, animal fats, animal oils, and blends thereof*, in bulk, in tank vehicles, from points in Arkansas to Memphis, Tenn.

HEARING: March 4, 1964, at the Dinkler Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 229.

No. MC 108449 (Sub-No. 174), filed December 19, 1963. Applicant: INDIANHEAD TRUCK LINES, INC., 1947 West County Road "C", St. Paul, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant sites of Universal Atlas Cement, Division of United States Steel Corporation, located at or near Fargo

and Grand Forks, N. Dak., to points in Minnesota and South Dakota.

NOTE: Common control may be involved.

HEARING: February 17, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 143.

No. MC 109262 (Sub-No. 3), filed December 30, 1963. Applicant: KOERNER MOTOR EXPRESS, INC., 55 East 28th Street, Chicago, Ill. Applicant's attorneys: Mack Stephenson, 922 First National Bank Building, Springfield, Ill., and Grover C. Hoff, 900 South Fifth Street, Springfield, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, which have a subsequent or prior movement by air, between points in Cook County, Ill., on the one hand, and on the other, points in Bureau, Champaign, DeKalb, DeWitt, Ford, Fulton, Grundy, Henry, Iroquois, Kankakee, Knox, LaSalle, Livingston, Logan, McLean, McDonough, Marshall, Mason, Mercer, Macon, Putnam, Rock Island, Sangamon, Stark, Tazewell, Vermillion, Warren, and Woodford Counties, Ill.

HEARING: February 28, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149.

No. MC 109397 (Sub-No. 82), filed November 21, 1963. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Source, special nuclear, and byproduct materials, radioactive materials, and related reactor equipment, component parts, and associated materials, between National Aeronautics and Space Administration's Plum Brook Reactor Facility near Sandusky, Ohio, on the one hand, and the National Reactor Testing Station, near Arco, Idaho, on the other.

HEARING: March 2, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 109584 (Sub-No. 120), filed December 24, 1963. Applicant: ARIZONA-PACIFIC TANK LINES, a corporation, 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Vegetable oils, animal fats, blends of vegetable oils and animal fats, products of vegetable oils and animal fats, in bulk, in tank vehicles, from points in Fresno County, Calif., to points in Arizona, California, Colorado, Utah, Nevada, New Mexico, Montana, Idaho, Oregon, and Washington, and returned shipments, on return, (2) vegetable oils, animal fats, blends of vegetable oils and animal fats, in bulk, in tank vehicles, from points in California, and to points in Fresno County, Calif., and returned shipments, on return, and (3) animal fats, in bulk, in tank vehicles, from points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon,

and Washington to points in Fresno County, Calif., and returned shipments on return.

HEARING: March 3, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 110193 (Sub-No. 56), filed December 6, 1963. Applicant: SAFEWAY TRUCK LINES, INC., 4625 West 55th Street, Chicago 32, Ill. Applicant's attorney: Duane W. Acklie, 14th and J Streets, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts and articles distributed by meat packinghouses, as described in sections A, C, and D of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 706 (except commodities in bulk, in tank vehicles), from Spencer, Iowa, to points in Connecticut, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia.

HEARING: March 3, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Walter R. Lee.

No. MC 110525 (Sub-No. 618), filed November 21, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coal tar products, in bulk, in tank vehicles, from Indianapolis, Ind., to points in Illinois, Indiana, Kentucky, Michigan, Mississippi, Ohio, Tennessee, and Wisconsin.

HEARING: February 27, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Parks M. Low.

No. MC 110698 (Sub-No. 263), filed November 20, 1963. Applicant: RYDER TANK LINE, INC., Post Office Box 8418, Winston-Salem Road, Greensboro, N.C. Applicant's attorney: Francis W. McInery, 1000 16th Street NW., Washington 36, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, from Orange, Tex., to points in Rhode Island, and Oklahoma City, Okla.

NOTE: Common control may be involved.

HEARING: February 26, 1964, at the office of the Interstate Commerce Commission, Washington, D.C., before Examiner Lacy W. Hinely.

No. MC 110698 (Sub-No. 265) (CORRECTION), filed December 9, 1963. Applicant: RYDER TANK LINE, INC., Post Office Box 8418, Greensboro, N.C. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Liquid acids and chemicals, (2) liquid petroleum products, in bulk, and (3) compressed gases and cryogenics, in bulk, in manifolded tube trailers and in truck trailers,

from points in Harris County, Tex., to points in New Mexico, Oklahoma, Arkansas, Louisiana, Mississippi, Montana, Utah, and Texas.

NOTE: Common control may be involved. The purpose of this correction is to show applicant's correct docket number as shown above in lieu of No. MC 110689 (Sub-No. 265) as shown in previous publication.

HEARING: Remains as assigned February 24, 1964, at the Federal Building and U.S. Courthouse, 515 Rusk Street, Houston, Tex., before Examiner Francis A. Welch.

No. MC 112750 (Sub-No. 168), filed November 20, 1963. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies consisting of labels, envelopes and packaging materials, and advertising literature moving therewith (except motion picture film used primarily for commercial theater and television exhibition): (a) between Philadelphia, Pa., on the one hand, and, on the other, Glen Falls and New York, N.Y., and Milburn, N.J., under a continuing contract or contracts with Perfect Photo, Inc., and (b) between Washington, D.C., on the one hand, and, on the other, points in Chester County, Pa., and between Philadelphia, Pa., on the one hand, and, on the other, points in Chester, Northumberland, and Schuylkill Counties, Pa., under a continuing contract or contracts with Eastman Kodak Co., (2) commercial papers, documents, and written instruments (except coin, currency, bullion, and negotiable securities) as are used in the conduct of the business of banks and banking institutions, under a continuing contract or contracts with banks and banking institutions, between points in Chemung County, N.Y., on the one hand, and, on the other, points in Lackawanna County and Luzerne County, Pa., and Philadelphia, Pa., and (3) checks, memoranda, advertising material, completed policies, payment books, tabulated cards, correspondence, other audit media, and documents and materials related to insurance policies (excluding plant removals), under a continuing contract or contracts with Colonial Penn Life Insurance Co., between Philadelphia, Pa., on the one hand, and, on the other, Washington, D.C.

NOTE: Common control may be involved.

HEARING: February 26, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Louis G. LaVecchia.

No. MC 112750 (Sub-No. 169), filed November 20, 1963. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Exposed

and processed film and prints, complimentary replacement film, incidental dealer handling supplies consisting of labels, envelopes, and packaging materials, and advertising literature moving therewith (except motion picture film used primarily for commercial theater and television exhibition), (a) between points in Ohio, on shipments originating at or destined to out of State points, under a continuing contract or contracts with Eastman Kodak Co., and (b) between Pittsburgh, Pa., on the one hand, and, on the other, Cumberland, Md., Akron, Canton, Cincinnati, Cleveland, Columbus, Mansfield, Marietta, Steubenville, Toledo, and Youngstown, Ohio, and Charleston, Clarksburg, Elkins, Fairmont, Huntington, Morgantown, Moundsville, New Martinsville, Parkersburg, Parkersville, Weirton, and Wheeling, W. Va., under a continuing contract or contracts with Perfect Photo, Inc.

HEARING: February 25, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Samuel Horwich.

No. MC 113267 (Sub-No. 105), filed September 16, 1963. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Fred H. Figge (address same as applicant's). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Salem, Ark., to points in Mississippi and Tennessee.

NOTE: Common control may be involved.

HEARING: March 2, 1964, at the Dinkler Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 229.

No. MC 113651 (Sub-No. 67), filed December 17, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorneys: Mario Pieroni, 523 Johnson Building, Muncie, Ind., and Charles Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as defined by the Commission in 61 M.C.C. 209 and 766, in temperature controlled vehicles, from Union City, Ohio, to points in Connecticut, Delaware, Indiana, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and District of Columbia, and *refused, damaged, and rejected shipments*, on return.

HEARING: February 12, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner H. Reece Harrison.

No. MC 115841 (Sub-No. 152), filed September 3, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Hernando, Miss., to Nash-

ville, Tenn., and points in its commercial zone.

HEARING: March 3, 1964, at the Dinkler Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 4.

No. MC 117094 (Sub-No. 8) (REPUBLICATION), filed March 6, 1963, published FEDERAL REGISTER issue of May 22, 1963, and republished, this issue. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, Kans. Applicant's attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. By application filed March 6, 1963, as amended, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of potassium (potash), in bags and in bulk, from points within a 75-mile radius of Carlsbad, N. Mex., to points in Colorado, Kansas, Nebraska, South Dakota, Iowa, Oklahoma, and Missouri, restricted against the provision of service in tank or hopper tank vehicles, and restricted against service to Kansas City, Kans., Kansas City, Mo., St. Louis, Mo., East St. Louis, Ill., Pueblo, Colorado Springs and Denver, Colo., Omaha, Nebr., and Wichita, Kans., and points in the commercial zone of the aforementioned points. The application was referred to Examiner Francis A. Welch for hearing and the recommendation of an appropriate order thereon. Hearing was held on July 1, 1963, at Kansas City, Mo. At the hearing the territorial scope of the application was broadened. A report and order, served December 10, 1963, which became effective January 9, 1964, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, under a continuing contract with Consumers Cooperation Association of Kansas City, Mo., over irregular routes, of potassium (potash) from points in Lea and Eddy Counties, N. Mex., to points in Colorado, Kansas, Nebraska, South Dakota, Iowa, Oklahoma, and Missouri, restricted against service to Kansas City, Kans., Kansas City, Mo., St. Louis, Mo., East St. Louis, Ill., Pueblo, Colorado Springs and Denver, Colo., Omaha, Nebr., and Wichita, Kans., and points in the commercial zone of each of the foregoing points, as defined by the Commission, will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that an appropriate permit should be issued after the lapse of 30 days from the date of republication in the FEDERAL REGISTER of a corrected statement of the authority sought herein, provided that no protest and petitions for further hearing are received during such period.

No. MC 117920 (Sub-No. 1), filed November 21, 1963. Applicant: W. M. TYNAN & COMPANY, INC., 76 Ninth Avenue, New York 11, N.Y. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Packinghouse products, meat byproducts, articles distributed by*

packinghouses, and supplies, materials, and other equipment used by packinghouses, (1) between Chicago, Ill., and Iowa Falls, Iowa, and (2) from Iowa Falls, Iowa, to Blue Island and Momence, Ill., and points in Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, and Massachusetts.

HEARING: February 28, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Bernard J. Hasson, Jr.

No. MC 119315 (Sub-No. 1), filed November 21, 1963. Applicant: FREIGHTWAY CORPORATION, 4410 Gilhouse Road Toledo, Ohio. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass fibre and glass fibre products*, from the plant site of Johns-Manville Fibre Glass, Inc., located at Vienna, W. Va., to points in Michigan, Indiana, Illinois, Wisconsin, Ohio, and Pennsylvania, and *rejected, damaged, and returned shipments*, on return.

HEARING: March 2, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James I. Carr.

No. MC 119767 (Sub-No. 12), filed November 27, 1963. Applicant: BEAVER TRANSPORT CO., 100 South Calumet Street, Burlington, Wis. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat byproducts*, including, but not limited, to *bones, udders, and tripe*, from Cedarburg, Wis., to Kankakee, Ill., and *empty containers or other such incidental facilities used in transporting the above-described commodities*, on return.

HEARING: February 27, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 13.

No. MC 124047 (Sub-No. 21), filed November 22, 1963. Applicant: SCHWERMANN TRUCKING CO. OF OHIO, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant site of Universal Atlas Cement Division of United States Steel Corp. located at Evendale, Ohio (near Cincinnati), to (1) points in Ohio, (2) points in Wells, Adams, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Hamilton, Boone, Hendricks, Marion, Hancock, Henry, Wayne, Union, Fayette, Rush, Franklin, Decatur, Ohio, Shelby, Johnson, Morgan, Monroe, Brown, Bartholomew, Dearborn, Ripley, Jennings, Jackson, Lawrence, Scott, Jefferson, Switzerland, Washington, Clark, Floyd, Harrison, and Orange Counties, Ind., (3) points in Boone, Kenton, Campbell, Trimble, Carroll, Gallatin, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Boyd, Carter, Elliott, Rowan, Morgan, Jackson, Estill, Powell, Menifee, Fleming, Robertson, Nicholas, Bourbon, Clark, Montgomery, Scott, Harrison, Madison, Garrard, Lincoln, Boyle,

Franklin, Fayette, Owen, Henry, Oldham, Jefferson, Bullitt, Bath, Anderson, Mercer, Washington, Marion, Nelson, Shelby, Woodford, Jessamine, and Spencer Counties, Ky., and (4) points in Cabell, Wayne, Mason, Putnam, Kanawha, and Lincoln Counties, W. Va.

NOTE: Applicant holds contract carrier authority in MC 111623 and Subs thereunder; therefore dual operations may be involved. Common control may be involved.

HEARING: March 2, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Isadore Freidson.

No. MC 124048 (Sub-No. 18), filed December 11, 1963. Applicant: SCHWERTMAN TRUCKING CO., OF INDIANA, INC., 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizers and dry fertilizer materials*, in bulk, from Danville, Ill., to points in Indiana and Illinois.

NOTE: Common control may be involved. Applicant is also authorized to conduct operations as a contract carrier in Certificate MC 113833, therefore dual operations may be involved.

HEARING: February 27, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 124722 (Sub-No. 2), (REPUBLICATION), filed July 14, 1963, published FEDERAL REGISTER issue of September 5, 1963, and republished, this issue. Applicant: E'PORT WAREHOUSE & TRANSFER CO., a corporation, 70 South Park Street, Elizabeth, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. By application filed July 14, 1963, as amended at the hearing applicant seeks authority to operate as a contract carrier by motor vehicle, over irregular routes, transporting: Meats, meat products, and dairy products, in mechanically refrigerated equipment, from the warehouse of Food Fair Stores, Inc., in Linden, N.J., to New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., and points in Fairfield, New Haven, and Hartford Counties, Conn., and rejected, returned, or damaged shipments, from the aforementioned destinations to Linden, N.J. The application was referred to the Examiner A. Lane Criccher for hearing. Hearing was held on November 4, 1963, at New York, N.Y. The amendment accepted at the hearing broadened the scope of the application to include meats, meat products, and dairy products without limiting their origins to meat packinghouses. A report and order, served December 11, 1963, which became effective January 10, 1964, finds the present and future public convenience and necessity require operation by applicant as a contract carrier by motor vehicle under a continuing contract with Food Fair Stores, Inc., of Linden, N.J., of fresh meats, fresh meat products and fresh meat byproducts, and fresh dairy products, in mechanically refrigerated equipment from the warehouse of Food Fair Stores, Inc., Linden, N.J., to New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., and points in Fairfield, New Haven, and Hartford Counties, Conn., and rejected, returned, or damaged shipments, from the aforementioned destinations to Linden, N.J.

folk, Westchester, Orange, and Rockland Counties, N.Y., and points in Fairfield, New Haven, and Hartford Counties, Conn., over irregular routes, and of returned shipments from the noted destinations to Linden, N.J., will be consistent with the public interest and the national transportation policy. Prior to the issuance of a permit, a 30-day period from the date of publication in the FEDERAL REGISTER will be allowed during which any interested party, affected by the broadened scope of such grant, may file an appropriate pleading. In addition the permit should not issue unless and until the certificate in MC 36874 is canceled at applicant's request.

No. MC 124807 (Sub-No. 1) (REPUBLICATION), filed July 11, 1963. Applicant: JACK LINK, doing business as JACK LINK TRUCK LINE, Dyersville, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. By application filed July 11, 1963, applicant seeks a permit authorizing operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of chip dip and dairy products as described in section B of Appendix I to Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 273, except commodities moving in bulk and in tank vehicles, from Chippewa Falls, Richland Center, and Westby, Wis., and Dubuque, Iowa, to points in Iowa, Missouri, Nebraska, and South Dakota. The application was referred to Hearing Examiner Dallas B. Russell for hearing. Hearing was held on November 13, 1963, at Des Moines, Iowa. At the hearing applicant offered an amendment to enlarge the origin area by adding Le Sueur, Minn. The amendment was allowed subject, however, to publication of the recommended findings in the FEDERAL REGISTER. A report and recommended order, served December 4, 1963, effective January 6, 1964, finds that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and that operation, in interstate or foreign commerce by applicant as a contract carrier by motor vehicle, under a continuing contract with Bowman Dairy Company, of Chicago, Ill., of dairy products (except dairy products moving in bulk and in tank vehicles), from Chippewa Falls, Richland Center, and Westby, Wis., Dubuque, Iowa, and Le Sueur, Minn., to points in Iowa, Missouri, Nebraska, and South Dakota, such grant conditioned (1) upon cancellation, by written request of applicant, of that portion of his permit No. MC-124807 which authorizes the transportation of dairy products as previously described from Chippewa Falls and Richland Center, Wis., to St. Louis, Mo., and from Westby, Wis., to Holy Cross, Iowa, and (2) upon publication of the findings, herein in the FEDERAL REGISTER, and the withholding of a permit until at least 30 days from date of such publication.

No. MC 124813 (Sub-No. 4), filed November 29, 1963. Applicant: UMTUM TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum formboard, gypsum concrete, and gypsum tile*, from the plant site of U.S. Gypsum Co., located at Fort Dodge, Iowa, to points in Illinois on and north of U.S. Highway 24, and damaged and rejected shipments, on return.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit MC 118468 and Subs thereunder; therefore dual operations may be involved.

HEARING: February 24, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 54.

No. MC 125291 (REPUBLICATION), filed April 22, 1963. Applicant: MRS. BERNICE GIBE, doing business as J. D. SCHAFFER CARTAGE COMPANY, 2639 Indiana Avenue, Chicago, Ill. Applicant's attorney: Themis N. Anastos, 343 South Dearborn Street, Chicago 4, Ill. By application filed April 22, 1963, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of general commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Chicago, Ill., and Oak Brook, Ill. However, through inadvertence, the application was erroneously published in the FEDERAL REGISTER, which described the proposed operation as being "from points in the Chicago, Ill., commercial zone, to Oak Brook, Ill." The application was referred to Joint Board No. 21 for hearing and the recommendation of an appropriate order thereon. Hearing was held on September 20, 1963, at Chicago, Ill. A report and recommended order served November 14, 1963, effective December 16, 1963, finds that the proposed operations are those of a common carrier and that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, of photographic supplies, between Chicago, Ill., on the one hand, and, on the other, Oak Brook, Ill., and that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that an appropriate certificate should be issued, subject to republication of the correct authority in the FEDERAL REGISTER and a 30-day withholding period for purposes of permitting proper parties in interest to file protests or other pleadings.

No. MC 125419 (REPUBLICATION), filed June 3, 1963. Applicant: KELLEY DAVIS, doing business as DAVIS TRUCK LINE, Tahlequah, Okla. Applicant's attorney: R. M. Mountcastle, 605 Barnes Building, Muskogee, Okla. By application filed June 3, 1963, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of general commodities, except those of unusual value, classes A and B explosives, house-

hold goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, between Fort Smith, Ark., and Hulbert, Okla.; from Fort Smith over U.S. Highway 64 to Sallisaw, Okla., thence north on U.S. Highway 59 to junction Oklahoma Highway 51 at Stilwell, Okla. (also from Stilwell, Okla. over Oklahoma Highway 51 to Eldon, Okla.), thence over U.S. Highway 59 to Westville, Okla.; thence over U.S. Highway 62 to Tahlequah, Okla., thence over Oklahoma Highway 51 to Hulbert, and return over the same route, serving the intermediate points of Westville, Stilwell, Titanic, and Tahlequah, and all intermediate points located on U.S. Highways 59 and 62, and Sequoyah Indian School, located 3 miles south of Tahlequah as an off-route point. The application was referred to Joint Board No. 217 for hearing. Hearing was held on November 1, 1963, at Oklahoma City, Okla. A report and recommended order, served December 10, 1963, effective January 19, 1964, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over regular routes, of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Fort Smith, Ark., and Hulbert, Okla.; from Fort Smith over U.S. Highway 64 to Sallisaw, Okla.; thence over U.S. Highway 59 to Westville, Okla. (also from Stilwell, Okla., over Oklahoma Highway 51 to Eldon, Okla.); thence over U.S. Highway 62 to Tahlequah, Okla., thence over Oklahoma Highway 51 to Hulbert, and return over the same route serving the intermediate points of Westville, Stilwell, Titanic, and Tahlequah, and intermediate points located on U.S. Highways 59 and 62, and that an appropriate certificate should be issued, after the lapse of 30 days from the date of republication in the FEDERAL REGISTER of the authority granted herein so that any proper party in interest may file a petition for further hearing within 30 days of the date of such republication.

No. MC 125771 (Sub-No. 1), filed November 21, 1963. Applicant: CAYUGA SERVICE, INC., Post Office Box 70, South Lansing, N.Y. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mineral rock salt*, in bulk, and bags, (1) from Myers, Ludlowville, and South Lansing, N.Y., to points in Pennsylvania, New Jersey, Connecticut, Massachusetts, and Vermont, (2) from points in the township of Coxsackie, Greene County, N.Y., to points in New Jersey, New York, Connecticut, Massachusetts, and Vermont, (3) from Schenectady and Delanson, in Schenectady County, N.Y., to points in Connecticut, New York, Massachusetts, and Vermont,

and (4) from Castleton, Vt., to points in Massachusetts, Vermont, New Hampshire, and New York.

NOTE: Applicant states the proposed transportation specified in (2), (3), and (4) above, will be restricted to traffic which has had a prior movement by rail or water.

HEARING: February 27, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Laurence E. Masoner.

No. MC 125799, filed November 6, 1963. Applicant: BLAIRSVILLE TRANSPORT, INC., Rural Delivery No. 3, Blairsville, Pa. Applicant's attorney: John A. Vuono, 1515 Park Building, Pittsburgh 22, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products and refractory materials*, (1) between Latrobe and Somerset, Pa., on the one hand, and, on the other, points in Alabama, Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, and West Virginia; and (2) from Glenmont, Ohio, to points in Michigan, New York, and Pennsylvania.

NOTE: Applicant states that the proposed operations will be under a continuing contract or contracts with Bognar and Co., Inc., Union Mining Co. of Allegheny County, Inc., Union Refractories, Inc., and Union Firebrick Co. of Allegheny County, Inc. All of these companies are under common control and management.

HEARING: February 24, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 125805 (Sub-No.1), filed November 27, 1963. Applicant: YANDELL TRUCKAWAY, INC., 330 Fruitvale Avenue, Post Office Box 818, Oakland, Calif. Applicant's representative: E. H. Griffiths, 451 Turk Street, Room 23, San Francisco 2, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Empty glass containers*, from Oakland, Calif., to Reno and Sparks, Nev., from Oakland over Interstate Highway 80 to Reno and Sparks, serving no intermediate points, and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

HEARING: March 5, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 125826, filed November 19, 1963. Applicant: JAMES E. BARTLESON AND CHARLES BARTLESON, doing business as BARTLESON BROTHERS, a partnership, Box 116C, Penns Grove, N.J. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied carbon dioxide*, moving in shipper owned trailers, and solidified carbon dioxide, from the plant site of Cardox Division of Chemtron Corp., located at Gibbstown, N.J., to depots operated by Cardox Division of Chemtron Corp., located at Stratford, Conn., Boston, Mass., Harrisburg

and Pittsburgh, Pa., Providence, R.I., Suffolk, Va., and Frederick, Md., and empty containers or other such incidental facilities (not specified) used in transporting the above-described commodities, on return.

NOTE: Applicant states that the proposed operations will be limited to a transportation service performed under a continuing contract or contracts with the Cardox Division of Chemtron Corp., of Gibbstown, N.J.

HEARING: February 24, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles J. Murphy.

No. MC 125853, filed November 27, 1963. Applicant: EUGENE A. TOWNE, doing business as TOWNE AIR FREIGHT, 406 South Columbia, South Bend, Ind. Applicant's attorney: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, restricted to traffic having an immediately prior or immediately subsequent movement by air, between O'Hare Field and Midway Airport at or near Chicago, Ill., on the one hand, and, on the other, points in Elkhart, Fulton, Kosciusko, Lagrange, LaPorte, Marshall, Noble, Starke, and St. Joseph Counties, Ind., and Berrien, Cass, and St. Joseph Counties, Mich., and (2) between the St. Joseph County, Ind., airport at or near South Bend, Ind., on the one hand, and, on the other, points in Elkhart, Fulton, Kosciusko, Lagrange, LaPorte, Marshall, Noble, Starke, and St. Joseph Counties, Ind., and Berrien, Cass, and St. Joseph Counties, Mich.

HEARING: February 26, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 73.

No. MC 125909, filed December 30, 1963. Applicant: UNIVERSAL TRANSPORT, INC., Box 3124, Rapid City, S. Dak. Applicant's attorney: Truman A. Stockton, Jr., 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, in bulk and in sacks, from Rapid City, S. Dak., and points within ten (10) miles thereof, to points in Wyoming, Colorado, and Montana, and points in North Dakota, Nebraska, and Kansas on and west of U.S. Highway 281, and rejected shipments, on return.

NOTE: Common control may be involved.

HEARING: January 27, 1964, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Isadore Freidson.

PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

Notice to the parties. In accordance with Rule 68 of the Commission's general rules of practice, notice is hereby given to all parties interested that a prehearing conference in the proceedings described in the appendix attached hereto will be held on February 28, 1964, at 9:30 a.m., U.S.s.t., at the offices of the Interstate Commerce Commission, Washington, D.C., with Examiner James C. Cheseldine presiding.

At the prehearing conference it is contemplated that the following matters will be discussed:

(1) The issues generally with a view to their simplification;

(2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony by verified statements;

(3) The time and place or places of such hearing or hearings as may be agreed upon;

(4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants;

(5) The practicability of both applicant and the opposing carriers submitting in written form their direct testimony with respect to:

(a) Their present operating authority,

(b) Their corporate organizations if any, ownership and control,

(c) Their fiscal date,

(d) Their equipment, terminals, and other facilities.

(6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and

(7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

The application and the authority sought MC 115495 (Sub-No. 7), is as follows:

No. MC 115495 (Sub-No. 7), filed November 5, 1963. Applicant: UNITED PARCEL SERVICE, INC., 601 West Harrison Street, Chicago 7, Ill. Applicant's attorneys: Bernard G. Segal, and Irving R. Segal, 1719 Packard Building, Philadelphia 2, Pa., and S. Harrison Kahn, Suite 733, Investment Building, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in California, Oregon, and Washington, as follows: That part of Idaho north and west of a line beginning at a point on the Washington-Idaho State border, thence southeast along U.S. Highway 95 to Grangeville, Idaho, thence east and north on Idaho Highway 13 to junction with Idaho Highway 9, thence north and west along Idaho Highway 9 to eastern boundary of Nez Perce County, thence north along the eastern boundaries of Nez Perce, Latah, Benewah, and Kootenai Counties to U.S. Highway 10 (Interstate Highway 90), thence east along U.S. Highway 10 (Interstate Highway 90) to the Idaho-Montana border, thence north along the Idaho-Montana border to the Canadian border; that part of Idaho south and west of a line beginning at a point on the Oregon-Idaho border, thence east on U.S. Highway 30N to Weiser, thence south on U.S. Highway 95 to junction with Idaho Highway 52, thence east on Idaho Highway 52 to Horse Shoe Bend,

thence south on Idaho Highway 15 to Boise, thence west on U.S. Highway 30 (Interstate Highway 80N) to Nampa, thence west on Idaho Highway 72 to junction with U.S. Highway 95, thence south on U.S. Highway 95 to the Oregon-Idaho border; that part of Nevada south and west of a line beginning at a point on the California-Nevada border, thence east on U.S. Highway 40 (Interstate Highway 80) to junction with U.S. Highway 95 (Alt.), thence east on U.S. Highway 95 (Alt.) to junction with U.S. Highway 50, thence east on U.S. Highway 50 to Fallon, thence west on U.S. Highway 50 to Carson City and junction with U.S. Highway 395, thence south on U.S. Highway 395 to the California-Nevada border; that part of Nevada east, south, and west of a line beginning at a point on the California-Nevada border, thence north-east on U.S. Highway 91 to junction with U.S. Highway 93, thence east on U.S. Highway 93 to Boulder City, thence west on U.S. Highway 93 to junction with U.S. Highway 95, thence south on U.S. Highway 95 to the California-Nevada border, including all points on the highway boundary lines in Idaho and Nevada. Restriction: Applicant states that no service shall be rendered in the transportation of any package or article weighing more than 50 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment.

NOTE: Applicant states that he intends to tack the authority sought herein with its existing authority in accordance with the Commission's rules and regulations. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 13426; therefore dual operations may be involved.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 98173 (Sub-No. 3), filed November 26, 1963. Applicant: CHESTER L. ROBERTS, doing business as ROBERTS MOTOR FREIGHT, Sweet Springs, Mo. Applicant's attorney: Carl V. Kretsinger, Suite 510, Professional Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and those injurious or contaminating to other lading), (a) between Kansas City and Eaglesville, Mo.; from Kansas City over U.S. Highway 69 to Eaglesville, and return over the same route, serving the intermediate and off-route points of Civil Bend, Ridgeway, Bethany, Albany, McFall, Stanbury, Helena, Ford City, Avenue City, Evona, King City, Rochester, Union Star, New Hampton, Pattonsburg, and Winston, Mo., (b) from junction U.S. Highways 36 and 69, as a common point of joinder, over U.S. Highway 36 to St. Joseph, Mo., and return over the same route, (c) between St. Joseph and Eaglesville, Mo.; from St. Joseph over U.S. Highway 169 to junction U.S. Highway 136, thence over U.S. Highway

136 to Carmak, Mo., thence continuing over U.S. Highway 136 to junction U.S. Highway 69, thence over U.S. Highway 69 to Eaglesville, and return over the same route, serving the intermediate and off-route points of Avenue City, Helena, Union Star, Ford City, King City, McFall, Stanbury, Albany, Evona, New Hampton, Bethany, Rochester, Pattonsburg, Ridgeway, and Civil Bend, Mo., and (2) *household goods, office furniture and fixtures*, as defined by the Commission, over irregular routes, between St. Joseph, Mo., on the one hand, and, on the other, points in Missouri.

NOTE: Applicant states he will request cancellation of the certificate of registration in MC 98173 Sub-2 concurrently with the issuance of a certificate authorizing operations as set out in the instant application.

No. MC 123176 (Sub-No. 4), filed December 6, 1963. Applicant: WILLIAM D. SMITH, doing business as K. G. & C. TRUCK LINE, 925 Quincy Drive, Hamilton, Ohio. Applicant's representative: E. F. Streib, Neave Building, Fourth at Race, Cincinnati 2, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Peoria, Ill., to Middletown, Ohio, and *empty malt beverage containers*, on return.

NOTICE OF FILING OF PETITIONS

No. MC 30319 (Sub-No. 23) (PETITION FOR REOPENING AND RECONSIDERATION FOR THE PURPOSE OF MODIFYING RESTRICTIONS AT RUNGE, NORDHEIM AND YORKTOWN, TEXAS), filed January 6, 1964. Petitioner: SOUTHERN PACIFIC TRANSPORT COMPANY, Houston, Tex. Petitioner's attorneys: Thormund A. Miller, 205 Transportation Building, Washington, D.C., and Edwin N. Bell, 1600 Esperson Building, Houston, Tex. Petitioner conducts operations as a *common carrier* by motor vehicle in the transportation of general commodities, in a service which is auxiliary to or supplemental of rail service rendered by Southern Pacific Co. in Texas and Louisiana. Its routes generally parallel Southern Pacific Lines in those States, and its services are generally limited to stations on such railroad. The route here involved is between Kenedy and Cuero, Tex., over Texas Highway 72, to its junction with Highway 87. The only stations with which this petition is concerned are the small intermediate points of Runge, Nordheim, and Yorktown, Tex. These are located between Kenedy and Cuero, Tex. Applicant's Certificate No. MC 30319 (Sub-No. 23), was issued July 26, 1949. Several restrictions appear in that certificate as follows: "1. The service to be performed shall be limited to that which is auxiliary to or supplemental of Texas & New Orleans Railroad Company hereinafter called the Railroad." (This railroad has merged with Southern Pacific Co.). "2. The carrier shall not render any service to or from any point not a station on the line of the railroad." By the instant petition, petitioner requests that the involved restrictions be modified to read as follows: "1. The service to be performed shall be

limited to that which is auxiliary to or supplemental of rail service of Southern Pacific Co. in Texas hereinafter called the Railroad, except at Runge, Nordheim, and Yorktown, Tex." "2. The carrier shall not render any service to or from any point not a station on the line of the Railroad except at Runge, Nordheim, and Yorktown, Tex." Any person or persons desiring to participate in this proceeding, may within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.250).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8466 (MICHIGAN EXPRESS, INC.—PURCHASE (PORTION)—McNAMARA MOTOR EXPRESS, INC.), published in the June 19, 1963, issue of the FEDERAL REGISTER on page 6327. Amendment filed January 2, 1964, to both the temporary and permanent applications to delete the following routes, for which Michigan Express, Inc., was granted temporary authority to lease a portion of said operating rights by order dated June 26, 1963, by the Commission, Finance Board No. 1: *General commodities*, except those of unusual value and except dangerous explosives, charcoal, live animals and poultry, unwrapped hemp, uncrated furniture, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities requiring special equipment, and those injurious or contaminating to other lading, over regular routes, between Niles, Mich., and White Pigeon, Mich., for operating convenience only, serving no intermediate points, from Niles over U.S. Highway 112, to White Pigeon, Mich.; and *general commodities*, except those of unusual value, and except dangerous explosives, household goods as defined by *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Detroit, Mich., and Elkhart, Ind., from Detroit over U.S. Highway 112 to junction Michigan Highway 205, thence over Michigan Highway 205 to the Michigan-Indiana State line, thence over Indiana Highway 19, to Elkhart, serving all intermediate and off-route points within 8 miles of Detroit, Mich. Said amendment also request both the temporary and permanent applications to include the following alternate routes for operating convenience only: Between junction U.S. Highway 112 and Michigan Highway 50, and Detroit, Mich., in connection with carrier's regular route operations between Chicago, Ill., and Detroit, Mich., serving no intermediate points, and service at junction U.S. Highway 112, and Michigan Highway 50, is

authorized solely for the purpose of joinder only, and between Jackson, Mich., and Detroit, Mich., in connection with carrier's regular route operations between Jackson and Detroit, Mich., serving no intermediate points.

No. MC-F-8651. Authority sought for purchase by DAILY EXPRESS, INC., P.O. Box 39, Mail Route No. 3, Carlisle, Pa., of a portion of the operating rights of WILLIAM C. BONNER, INC., 2701 East Norris Street, Philadelphia, Pa., and for acquisition by D. E. LUTZ, 330 Washington Lane, Carlisle, Pa., of control of such rights through the purchase. Applicants' attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Operating rights sought to be transferred: *Such commodities as contractors' equipment, heavy and bulky articles, machinery and machine parts, and articles requiring specialized handling or rigging* because of size or weight, as a *common carrier* over irregular routes, between points in Pennsylvania, within 150 miles of Philadelphia, Pa., in the counties of Snyder, Juniata, Perry, Cumberland, Franklin, Adams, Dauphin, Fulton, Huntingdon, Mifflin, Centre, Clinton, Union, Lycoming, and Tioga, on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8652. Authority sought for control by BABCOCK & LEE PETROLEUM TRANSPORTERS, INC., 1002 Third Avenue North, Billings, Mont., of BABCOCK & LEE TRANSPORTATION, INC., 1002 Third Avenue North, Billings, Mont., and for acquisition by TIM M. BABCOCK, 2 Carson Street, Helena, Mont., of control of BABCOCK & LEE TRANSPORTATION, INC., through the acquisition by BABCOCK & LEE PETROLEUM TRANSPORTERS, INC. Applicants' attorney: C. J. Hansen, 608 Hennessy Building, Butte, Mont. Operating rights sought to be controlled: *Lumber*, as a *common carrier* over irregular routes, from points in Big Horn and Rosebud Counties, Mont., to points in Minnesota and South Dakota; and *materials, equipment, and supplies*, used in the production, transmission or storage of electrical power or water, between points in Yellowstone and Big Horn Counties, Mont. BABCOCK & LEE PETROLEUM TRANSPORTERS, INC., is authorized to operate as a *common carrier* in Montana, North Dakota, South Dakota, Wyoming, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8653. Authority sought for purchase by W. M. SMITH, doing business as SMITH TRUCK SERVICE, Post Office Box 373, Perry Okla., of a portion of the operating rights of SECURITY TRUCKING COMPANY, Post Office Box 2497, 1211 North Peoria, Tulsa, Okla. Applicants' attorney: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Okla. Operating rights sought to be transferred: *Machinery, equipment, materials, and supplies*, used in, or in

connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and byproducts, and *machinery, materials, equipment, and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, as a *common carrier* over irregular routes, between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana; *machinery, and equipment*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur, and its products, and *materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur, and its products, when moving to or from exploration, drilling, production, job, construction, and plant (including refining, manufacturing, and processing plants) sites, or storage sites, between points in Oklahoma, on the one hand, and, on the other, points in Louisiana; *machinery, equipment, materials, and supplies*, used in, or in connection with the drilling of water wells, between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana; *machinery, equipment, materials, and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana. Vendee is authorized to operate as a *common carrier* in Oklahoma, Kansas, and Texas. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-566; Filed, Jan. 21, 1964;
8:46 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 17, 1964.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning

the time and place of State Commission hearing or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. C-6714, Case No. 6, filed December 26, 1963. Applicant: CENTRAL TRANSPORT, INC., 3399 East McNichols, Detroit, Mich., 48212. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Certificate of public convenience and necessity sought to operate a freight service over the following routes: (1) From the junction of U.S. Highway 23 and North Territorial Road in Washtenaw County, Mich., over North Territorial Road to junction Dexter-Pinckney Road, thence over Dexter-Pinckney Road to junction Darwin Road, thence over Darwin Road to McGregor Road, thence over McGregor Road southwesterly to return to Dexter-Pinckney Road, serving all intermediate points; (2) from the junction North Territorial Road and Huron River Drive via Huron River Drive and Strawberry Lake Road to Hamburg Road, thence over Hamburg Road to Eight Mile Road, thence over Eight Mile Road to junction with U.S. Highway 23 in Washtenaw County, Mich., serving all intermediate points, and (3) from the junction North Territorial Road and Mast Road via Mast Road to Strawberry Lake Road, serving all intermediate points.

Note: Applicant states the authority sought in intrastate commerce is coextensive with the authority sought in interstate commerce as set forth above.

HEARING: February 11, 1964, at 9:30 a.m., in the offices of the Commission, Lewis Cass Building, Lansing, Mich.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. 15441, filed December 19, 1963. Applicant: DAVID A. WALTON, Route 3, Box 26, Madison, Ala. Certificate of public convenience and ne-

cessity sought to operate a freight service as follows: Transportation of *mobile homes*, between points in Alabama.

Information as to date, time and place assigned for hearing application, requests for procedural information, including the time for filing protests, concerning this application should be addressed to Orville P. Large, Secretary, Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala., 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-567; Filed, Jan. 21, 1964;
8:46 a.m.]

[Rev. S.O. No. 562; Taylor's I.C.C. Order
No. 163]

UNION PACIFIC RAILROAD

Rerouting and Diversion of Traffic

In the opinion of Charles W. Taylor, Agent, the Union Pacific Railroad, due to a court order that it cease operations on its Junction City Branch, is unable to transport traffic routed over its Junction City Branch between Junction City and Concordia, Kansas.

It is ordered, That:

(a) Rerouting traffic. The Union Pacific Railroad and its connections being unable to transport traffic in accordance with shippers' routing over its Junction City Branch between Junction City and Concordia, Kansas, because of a court order to the Union Pacific Railroad that it cease operations on its Junction City Branch, and carrier having placed an embargo on all traffic moving to, from or over its Junction City Branch, are hereby authorized to divert or reroute, such traffic over any available route to expedite the movement, regardless of routing shown on the waybill. This billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained. The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to

which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers. The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is diverted or rerouted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to such traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date. This order shall become effective at 12:01 p.m. January 17, 1964.

(g) Expiration date. This order shall expire at 11:59 p.m., April 30, 1964, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., January 17, 1964.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W. TAYLOR,
Agent.

[SEAL]

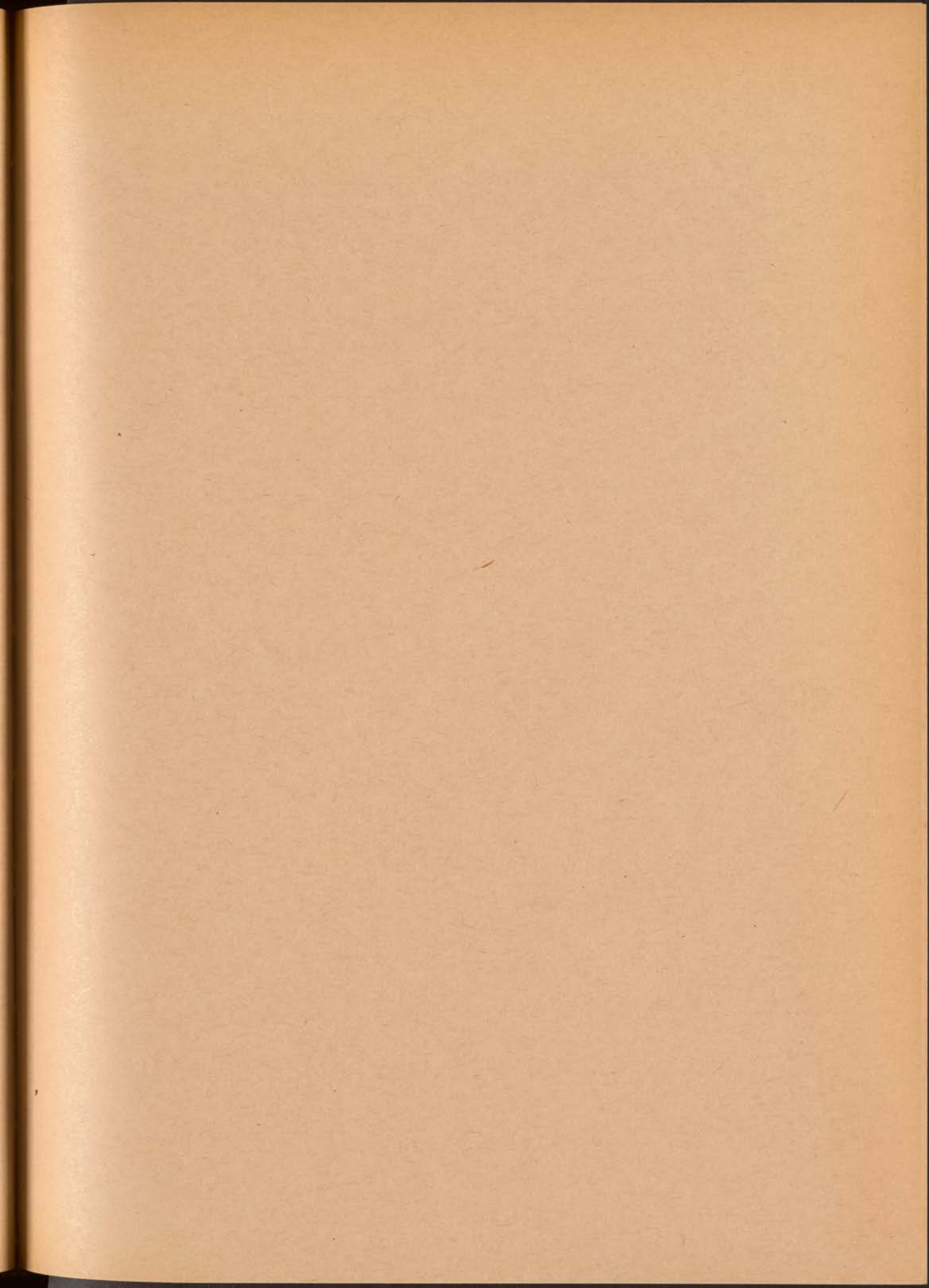
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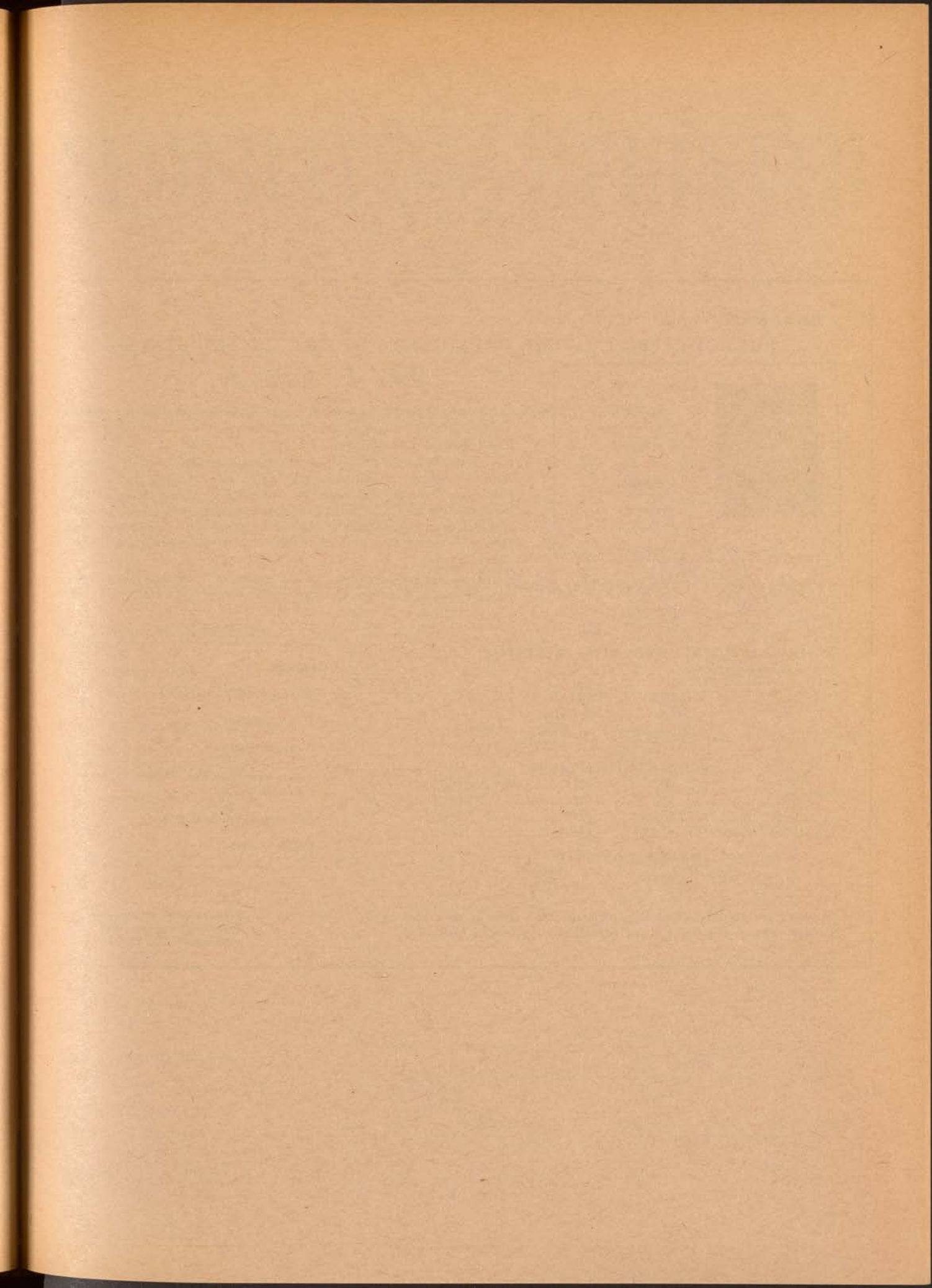
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